



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)Nos.10496 and 10497 of 2019 and
WMP(MD) .Nos.8056 and 8057 of 2019

Dr.E. Golden Julie ... Petitioner in WP(MD).No.10496/19

Dr. J. Jesu Vedha Nayahi ... Petitioner in WP(MD).No.10497/19

Vs.

1.The Registrar (i/c.,)
Anna University,
Sardar Patel Road,
Chennai - 600 025.

2.The Director,
Centre for Constituent Colleges,
Anna University,
Sardar Patel Road,
Chennai - 600 025.

3.The Dean (i/c.),
Anna University Regional Campus,
Tirunelveli,
Tirunelveli District.

... Respondents in both W.Ps.

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Memo.No.67551/PR21/09, dated 05.04.2019 on the file of the respondent No.1 and quash the same as illegal and consequently, to direct the respondent No.1 to take back the petitioners to the Anna University Regional Campus, Tirunelveli from the Academic year 2019-2020.

For Petitioner : M/s. S. Louis
For Respondents : Mr. K. Govindarajan

COMMON ORDER

These writ petitions have been filed, seeking to quash the order passed by the first respondent vide Memo No.67551/PR21/09, dated 05.04.2019 and consequently, direct the first respondent to take back the petitioners to Anna University Regional Campus, Tirunelveli from the Academic year 2019-2020.



2. Heard the learned counsel appearing for the petitioners and the learned counsel, who takes notice for the respondents. By consent, these Writ Petitions are taken up for disposal at the admission stage itself.

3. The learned counsel appearing for the petitioners submitted that the petitioners were appointed as Assistant Professors in the Department of Computer Science and Engineering in Anna University, Thirunelveli in the year 2009. While so, the first respondent issued an order dated 21.01.2019, deploying the petitioners to University College of Engineering, Nagercoil with effect from 01.02.2019 until further orders. Feeling aggrieved over the same, the petitioners submitted a representation seeking to revert back them to Anna University, Regional Campus, Tirunelveli. However, the said representation was rejected by the first respondent stating that the request of the petitioners was not feasible, by order dated 05.04.2019, which is impugned herein.

4. The learned counsel appearing for the respondents fairly submitted that due to communication gap, the impugned order came to be passed and hence, the same may be set aside and the matter may be remitted back to the first respondent for fresh consideration. He further submitted that while reconsidering the case, the seniority position of the petitioners will be taken into account, as directed by this Court in the order dated 18.02.2019 passed in WP(MD). Nos.2083, 2084 and 2358 of 2019, filed by the petitioners herein on earlier occasion.

5. Considering the facts and circumstances of the case and also having regard to the submissions made by the learned counsel on either side, the impugned orders, dated 21.01.2019 and 05.04.2019 passed by the first respondent are set aside and the matter is remitted back to the first respondent for considering the case of the petitioners afresh, in the light of their seniority position as directed by this Court in the order cited supra. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. Both the Writ petitions are allowed to the extent as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (A.E)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The Registrar (i/c.,)
Anna University,
Sardar Patel Road,
Chennai - 600 025.

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Anna University,
Sardar Patel Road,
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3.The Dean (i/c.,),
Anna University Regional Campus,
Tirunelveli,
Tirunelveli District.

+1 CC to Mr.K.GOVINDARAJAN, Advocate SR-63330.

+1 CC to Mr.S.LOUIS, Advocate SR-63886.

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CS: (11/06/2019) 3P 6C