



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

WEB COPY

DATE : 02.07.2019

**CORAM
THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P. (MD)NO.14706 OF 2019

M.Lionel Antony Raj

.. Petitioner

- Vs -

1. The Principal Secretary
Department of Higher Education
Government of Tamil Nadu
Secretariat, Chennai 600 009.
2. The Addl. Chief Secretary
to Governor of Tamil Nadu
Raj Bhavan, Guindy
Chennai 600 022.
3. The Madurai Kamaraj University
rep. by its Registrar
Palkalai Nagar, Madurai. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to constitute an Enquiry Committee under the Chairmanship of Former Judge of this Hon'ble Court to enquire all the illegal appointments and promotions made during the period of May 2017 to June, 2018 at Madurai Kamaraj University in Item No.87 and 88 dated 05.02.2019 and consequently direct the respondents to initiate necessary action based on the findings of the report that may be submitted by the Committee within the time frame fixed by this Hon'ble Court.



For Petitioner : Mr. M.Ajmal Khan, SC, for
Mr. S.Vanchinathan

For Respondents : Mr. A.K.Baskarapandian, Spl.G.P.
For RR-1 & 2

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ORDER

(Order of the Court was made by M.Sathyannarayanan, J.)

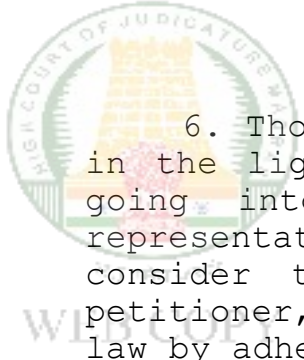
The petitioner claims to be a public interest litigant and according to him, with regard to the irregularities, during the period of the former Vice Chancellor, Dr. P.P.Chelladurai, in the appointment of casual labourers and guest lecturers and promotions made under the Career Advancement Scheme (CAS), by violating the norms of the University Grants Commission, two resolutions have been passed in item Nos.87 and 88 in the Syndicate Meeting of Madurai Kamaraj University, held on 5.2.2019, for constituting a High Level Committee to enquire into the said violations and alleging that no progress has been made so far to constitute such Committee despite the resolution of the Syndicate of Madurai Kamaraj University, the petitioner has come forward to file the present petition.

2. Mr.Ajmal Khan, learned senior counsel assisted by Mr.Vanchinathan, appearing for the petitioner, has drawn the attention of this Court to the approved minutes of the Syndicate dated 5.2.19, especially item Nos.87 and 88, and pointed out that despite the authorisation given to the Vice Chancellor to constitute a High Level Committee to enquire into the allegations with regard to the appointment of casual labourers and also violation of UGC norms with regard to promotions made under the Career Advancement Scheme (CAS), for the reasons best known to the concerned authorities, no progress has been shown and in this regard, the petitioner has also submitted a representation dated 28.12.2018 to respondents 1 to 3 and despite receipt and acknowledgement, nothing has moved so far and, therefore, he is constrained to approach this Court by filing the present petition.

3. Mr.A.K.Baskarapandian, learned Special Government Pleader accepts notice for respondents 1 and 2.

4. This Court carefully considered the submissions advanced on either side and also perused the materials available in the typed set of documents.

5. During the course of arguments, this Court put a specific question to the learned senior counsel for the petitioner as to whether all the infractions and violations took place only during the regime of Dr.P.P.Chelladurai, former Vice Chancellor of Madurai Kamaraj University? However, learned senior counsel is unable to give any positive answer. It is for the 1st respondent to take into consideration of the said aspect also while dealing with the matter.



6. Though the petitioner prays for a larger relief, this Court, in the light of the facts and circumstances of the case, without going into the merits of the claim raised either in the representation or in the writ petition, directs the 1st respondent to consider the representation dated 28.12.2018, submitted by the petitioner, and dispose of the same on merits and in accordance with law by adhering to the principles of natural justice and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the person concerned.

7. This writ petition is disposed of accordingly.

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar(CS)

GLN

To

1. The Principal Secretary
Department of Higher Education
Government of Tamil Nadu
Secretariat, Chennai 600 009.

2. The Addl. Chief Secretary
to Governor of Tamil Nadu
Raj Bhavan, Guindy
Chennai 600 022.

3. The Madurai Kamaraj University
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Palkalai Nagar, Madurai.

+ 1 CC TO Mr.S.Vanchinathan, ADVOCATE IN SR No.72879
+ 1 CC to The Special Government Pleader SR.No.73238

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