



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**
W.P. (MD) No.4030 of 2019

WEB COPY

T.Veerapandi Athipathi

... Petitioner

Vs

1.The Director,
Directorate of Collegiate Education,
9th Floor, E.V.K.Sampath Building,
College Road,
Chennai - 600 006.

2.The Registrar,
Madurai Kamaraj University,
Palgalai Nagar,
Madurai.

3.The Principal,
Sowrashtra College,
Pasumalai Post,
Vilacherry,
Madurai.

...Respondents

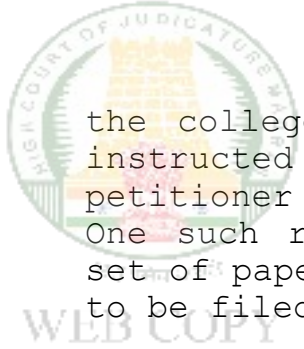
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to direct the third respondent to permit the petitioner to attend the regular classes and examinations on the basis of petitioner's representation dated 21.01.2019 on the file of the respondents.

For Petitioner	: Mr.R.Shankar Ganesh for Mr.J.Selvin Rajesh
For R1	: Mr.M.Karuppasamy Government Advocate
For R2	: Mr.Amaljin for M/s.Issac Chambers
For R3	: No appearance

ORDER

Heard the learned counsel either side.

2. The writ petitioner was undergoing the BBA Course in the third respondent college. When he was studying in the fifth semester, some controversy appears to have arisen. On 23.08.2018,



the college Principal called the writ petitioner to his room and instructed him that he should not attend classes thereafter. The petitioner has been sending representations to various authorities. One such representation dated 21.01.2019 is enclosed in the typed set of papers. Since it was not considered, this writ petition came to be filed.

3. Eventhough the third respondent College has been served and the name is printed, there is no appearance on behalf of the college.

4. The learned counsel appearing for the petitioner states that the petitioner was not issued with any charge memo and no enquiry was conducted. He was not served with any expulsion order.

5. These averments stand unrebutted. If the third respondent wanted to take disciplinary action against the writ petitioner, it ought to follow the usual procedure. In this case, even without serving an expulsion order, the writ petitioner has been restrained from attending the classes. This approach of the third respondent is clearly illegal. Hence, the writ petitioner is entitled to issuance of writ of mandamus as sought for. The third respondent shall permit the writ petitioner to attend the classes and resume the study.

6. Accordingly, this writ petition is allowed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

The Director,
Directorate of Collegiate Education,
9th Floor, E.V.K.Sampath Building,
College Road,
Chennai - 600 006.

+1cc to Mr.J.SELVIN RAJESH, Advocate, SR.No.52523

+1cc to M/s.Special Government Pleader, SR.No. 52673

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