



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.08.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P.(MD)No.18189 of 2019

B.Gerald Marvin

...Petitioner

-Vs-

The Director of Collegiate Education,
College Road, Nungambakkam,
Chennai.

...Respondent

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondent to dispose the appeal dated 22.02.2019 preferred by the petitioner within the time stipulated by this Court with all sorts of reasonable opportunity to both parties in consonance with natural justice.

For Petitioner : Mr.V.R.Venkatesan
For Respondent : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondent to dispose the appeal dated 22.02.2019 preferred by the petitioner within the time stipulated by this Court with all sorts of reasonable opportunity to both parties in consonance with natural justice.

2.Heard Mr.V.R.Venkatesan, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondent.

3.As against the order of discharge passed by the private college management against the petitioner, the petitioner preferred an appeal under Section 20(2) of the Tamil Nadu Private Colleges Regulations Act, 1976, before the respondent, who is the appellate authority under Rule 14 of the Tamil Nadu Private Colleges Regulations Rules on 22.02.2019. However, the said appeal is still pending with the respondent. Hence, the learned counsel appearing for the petitioner would submit that, if the said appeal is decided by the respondent on merits and in accordance with law, within a time frame to be stipulated by this Court, the petitioner would be satisfied.



4.I have heard the learned Additional Government Pleader appearing for the respondent, who would submit that, the appeal filed by the petitioner dated 22.02.2019 would be decided by the respondent on merits, within a time frame.

5.Having regard to the said submission made by both sides, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The respondent is hereby directed to consider the appeal filed by the petitioner under Section 20(2) of the Tamil Nadu Private Colleges Regulations Act, 1976, as against the order of discharge passed by the private college management, who are the respondents in the said appeal and decide the same on merits and in accordance with law and in this regard, if the respondent feels that both the petitioner as well as the respondents in the appeal to be heard, an opportunity of being heard also can be given to them and accordingly, pass final orders thereon, within a period of six weeks from the date of receipt of a copy of this order."

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

The Director of Collegiate Education,
College Road, Nungambakkam,
Chennai.

+1 CC to M/s.V. R. VENKATESAN, Advocate (SR-83046[F] 22/08/2019)

+1 CC to M/s.Special Govt.Pleader (SR-83321[F] dated 26/08/2019)

Order made in

W.P. (MD)No.18189 of 2019

22.08.2019

Arul

SDS (20.12.2019) 2P 4C