



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.09.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P. (MD) Nos. 521, 1973, 3163 and 3664 of 2018

and

W.M.P. (MD) Nos. 513, 514, 1051, 1053, 2221, 3329, 3330,
3787 and 3788 of 2018

W.P. (MD) No. 521 of 2018:

M. Subakaran

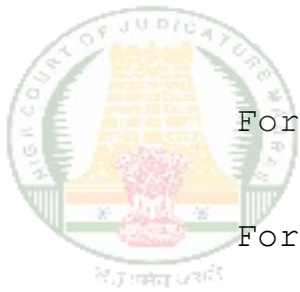
... Petitioner

Vs.

1. The Chancellor,
(His Excellency the Governor of Tamil Nadu),
Raj Bhavan, Guindy,
Chennai-600 022.
2. The Government of Tamil Nadu,
represented by its Principal Secretary,
Department of Higher Education,
Fort St. George, Chennai-600 009.
3. Manonmaniam Sundaranar University,
represented by the Registrar,
Abhishekapatti,
Tirunelveli -627 012.
4. The Vice-Chancellor,
Manonmaniam Sundaranar University,
Abhishekapatti,
Tirunelveli -627 012.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular issued by the third respondent in Circular NO.MSU/R/M&E/Teachers/Eln./2017, dated 22.12.2017 and the resolution in ITEM No.171.T5, dated 18.11.2017 passed by the third respondent in its Meeting of the Syndicate, quash the same and direct the respondents 3 and 4 to restore the Syndicate Resolution dated 08.10.1994 and permit the petitioner to function as member of the Senate pursuant to the declaration of result made on 28.03.2016.



For Petitioner

: Mr.R.Subramanian

For Respondents

: Mr.Aayiram K.Selvakumar
Additional Government Pleader
for R.2
: Mr.Mahaboob Athiff
for M/s Ajmal Associates
for R.1, R.3 and R.4

WEB COPY

W.P. (MD)No.1973 of 2018:

M.Subakaran

... Petitioner

Vs.

1. The Chancellor,
Manonmaniam Sundaranar University,
Raj Bhavan, Guindy, Chennai-600 022.
2. The Government of Tamil Nadu,
represented by its Principal Secretary,
Department of Higher Education,
Fort St.George, Chennai-600 009.
3. Manonmaniam Sundaranar University,
represented by the Registrar,
Abhishekapatti, Tirunelveli -627 012.
4. The Vice-Chancellor,
Manonmaniam Sundaranar University,
Abhishekapatti,
Tirunelveli -627 012.

... Respondents

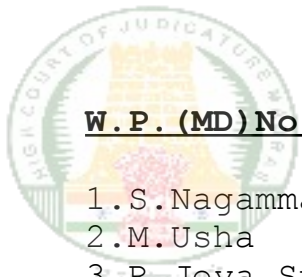
PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari calling for the records pertaining to the impugned notification issued by the third respondent in MSU/R/M&E/Tech/Eln./2018, dated 22.01.2018 and quash the same.

For Petitioner

: Mr.R.Subramanian

For Respondents

: Mr.Aayiram K.Selvakumar
Additional Government Pleader
for R.2
: Mr.Mahaboob Athiff
for M/s Ajmal Associates
for R.1, R.3 and R.4



W.P. (MD) No.3163 of 2018:

- 1.S.Nagammal
- 2.M.Usha
- 3.R.Jeya Sundara Raj
- 4.M.Ravi Kumar
- 5.K.V.Soundara Raja
- 6.G.Issac Arul Dhas
- 7.B.Ravindran Durainayagam
- 8.M.Sivakumar
- 9.A.Irudayaraj
- 10.M.Karunanidhi
- 11.A.Ramachandran
- 12.K.A.Ameer Hamsha
- 13.K.Sathya Bama
- 14.D.S.Mahendran
- 15.V.Saravanan
- 16.Nagarajan

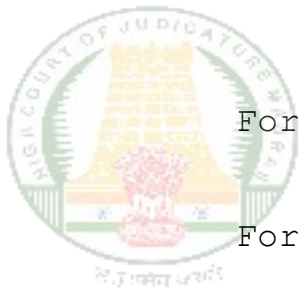
... Petitioners

Vs.

1. The Chancellor,
Manonmaniam Sundaranar University,
Abhishekapatti,
Tirunelveli -627 012.
2. The Principal Secretary to Government,
Higher Education Department,
Government of Tamilnadu,
Secretariat, Fort St.George,
Chennai-600 004.
3. Manonmaniam Sundaranar University,
represented by the Registrar,
Abhishekapatti,
Tirunelveli -627 012.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the records in Ref.No.MSU/R/M&E/SEN/ELEC/NOTIEFN/2018, dated 07.02.2018 and the resolution in ITEM No.171.T5 of the Syndicate in 171st meeting held on 18.11.2017, quash the same and to direct the third respondent to hold the meeting of the Senate with the petitioners herein within a time frame to be fixed by this Court.



For Petitioner

: Ms.D.Geetha
for Mr.R.Diwakaran

For Respondents

: Mr.Aayiram K.Selvakumar
Additional Government Pleader
for R.2
: Mr.Mahaboob Athiff
for M/s Ajmal Associates
for R.1 and R.3

WEB COPY

W.P. (MD) No.3664 of 2018:

- 1.R.Ulaganathan
- 2.J.Johnson
- 3.R.Thomson
- 4.C.Issac Sobhanaraj
- 5.T.C.Mahesh
- 6.S.Sundaram
- 7.V.Shanmugaraja
- 8.V.M.Arul Flower Mary
- 9.D.Usha

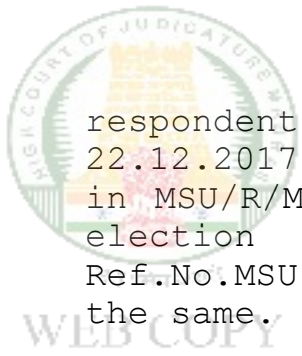
... Petitioners

Vs.

- 1.The Chancellor,
Manonmaniam Sundaranar University,
Raj Bhavan, Guindy,
Chennai-600 022.
- 2.The Government of Tamil Nadu,
represented by its Principal Secretary,
Department of Higher Education,
Fort St.George, Chennai-600 009.
- 3.Manonmaniam Sundaranar University,
represented by the Registrar,
Abhishekapatti, Tirunelveli -627 012.
- 4.The Vice-Chancellor,
Manonmaniam Sundaranar University,
Abhishekapatti,
Tirunelveli -627 012.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari calling for the records pertaining to the impugned resolution in ITEM NO.171.T5, dated 18.11.2017 passed by the third respondent in its Meeting of the Syndicate; impugned circular issued by the third



respondent in Circular No.MSU/R/M&E/Teacher/Eln./2017, dated 22.12.2017; impugned notification issued by the third respondent in MSU/R/M&E/Teacher/Eln./2018, dated 22.01.2018 and the impugned election schedule issued by the third respondent in Ref.No.MSU/R/M&E/SEN/ELEC/NOTIFN/2018, dated 07.02.2018 and quash the same.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader
for R.2
: Mr.Mahaboob Athiff
for M/s Ajmal Associates
for R.1, R.3 and R.4

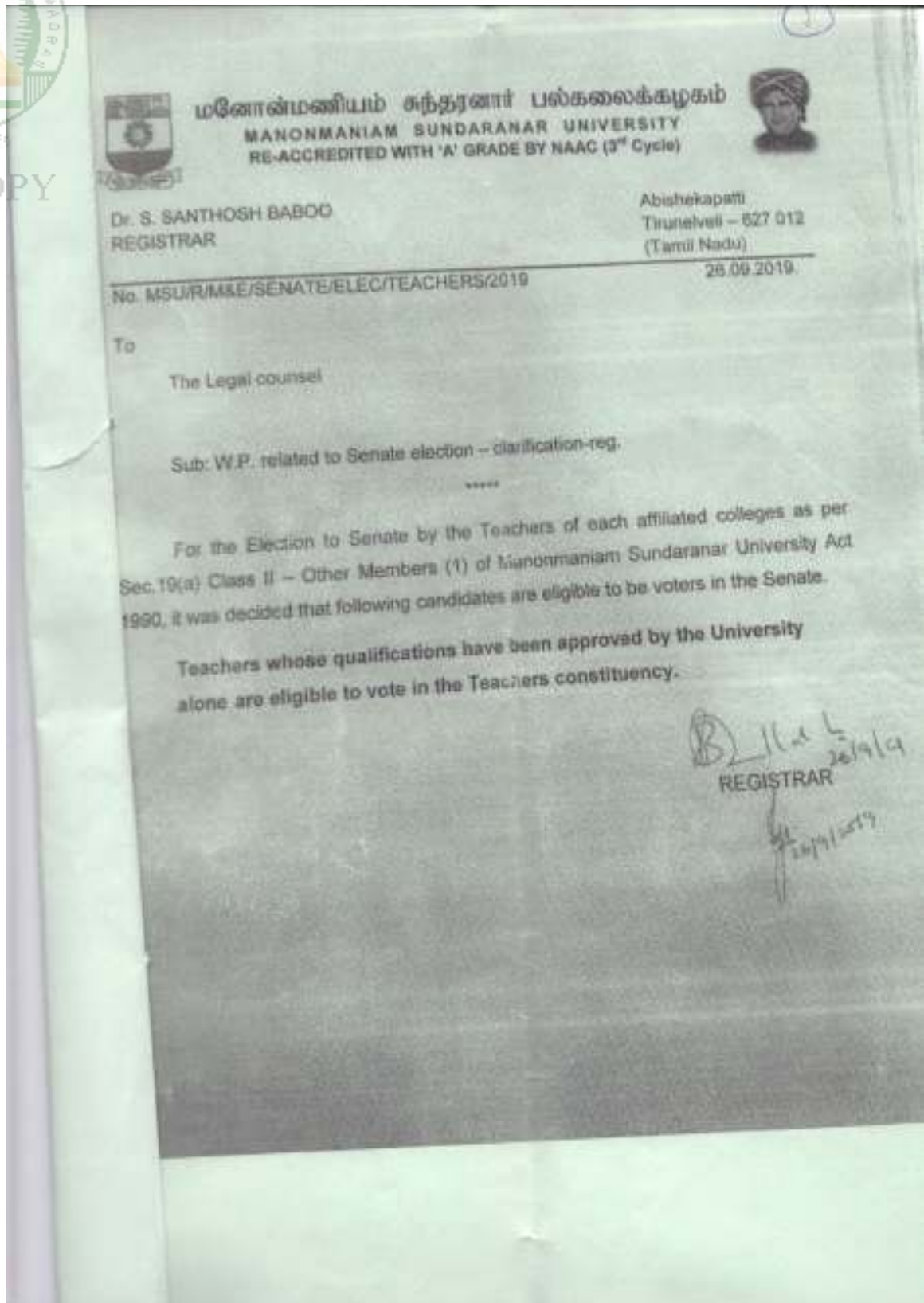
COMMON ORDER

Mr.R.Subramanian and Ms.D.Geetha, learned Counsel, representing the Counsel on record for writ petitioners; Mr.Mahaboob Athif, learned Standing Counsel for University on behalf of respondents University and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader appearing for the official respondent are before this Court.

2. This Court is informed by all the Counsel in these writ petitions that subject matter of instant writ petitions pertain to election of members to Senate of 'Manonmaniam Sundaranar University, Tirunelveli' (hereinafter 'said University' for brevity). Today, learned Standing Counsel appearing for said University has filed a additional typed set of papers, dated 27.09.2019 containing a communication dated 26.09.2014 bearing reference No.MSU/R/M&E/SENATE/ELEC/TEACHERS/2019 from the said University. The communication is as follows:



WEB COPY



3. It is submitted by all the Counsel before this Court that if the aforesaid stated position of the said University is recorded, the issues raised in these writ petitions will stand

<https://hcservices.ecourts.gov.in/hcservices/>



addressed and concluded. In other words, these writ petitions can be given closure is the common say of all learned Counsel.

4. Recording the aforesaid position of said University, all these four writ petitions are disposed of as closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

The Principal Secretary to Government,
Higher Education Department,
Government of Tamilnadu,
Secretariat, Fort St.George,
Chennai-600 004.

+1cc to MR.R.SUBRAMANIAN, Advocate in SR.No.90299
+1cc to M/S.AJMAL ASSOCIATES, Advocate in SR.No.90451
+1cc to SPECIAL GOVERNMENT PLEADER IN SR.NO.90550 & 90551, 90572,
90573

W.P. (MD) Nos.521,1973, 3163 and 3664 of 2018
27.09.2019

ssl

AE/15.10.2019/7P/5C