



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.11625 of 2014
and
M.P.(MD) No.1 of 2014

Vennila

... Petitioner

vs.

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

2.The Regional Joint Director of
Collegiate Education
Madurai Region, Madurai District

3.Yadhava College of Education
rep.by the Secretary and Correspondent
Madurai, Madurai District

4.Yadhavar Kalvi Nithi
a registered Society running
Yadhava College of Education
rep.by its Secretary
K.P.Navaneetha Krishnan
Govindarajan Campus, Thirupalai
Madurai,
Madurai District-625 014

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records of the impugned order in Na.Ka.No.3935/Uu1/2014 dated 04.07.2014 issued by the 2nd respondent and quash the same and consequently direct the respondents to allow the petitioner to do the job as a Assistant Professor in the 3rd respondent's College without threat or disturbance.

For Petitioner : Mr.R.R.Thamothar Raj

For Respondents : Mr.M.Jeyakumar
Additional Government Pleader for R1 & R2
Mr.E.V.N.Siva for R3 & R4

**ORDER**

The order of suspension, dated 04.07.2014, passed by the second respondent, is under challenge in the present writ petition.

2. The writ petitioner, who was working as Assistant Professor, was placed under suspension on account of certain serious allegations. However, an interim order was granted by this Court in the present writ petition and accordingly, she was reinstated into service and is working as Assistant Professor. In view of the fact that the writ petitioner is working continuously for about five years from the date of suspension, now the respondents need not reopen the order of suspension. The writ petitioner may be allowed to continue in service. However, the departmental disciplinary proceedings initiated against the writ petitioner must be proceeded with and concluded as expeditiously as possible.

3. In respect of the charge framed against the writ petitioner, the authorities competent are bound to proceed with the enquiry; conduct an enquiry, after affording due opportunity to the writ petitioner; conclude the same and pass final orders without causing any undue delay. In this regard, the writ petitioner is also directed to co-operative for the early disposal of the departmental disciplinary proceedings. Long pendency of departmental disciplinary proceedings would also cause prejudice to the employees. Contrarily, the delinquent officials are also should not prolong and protract the issue in order to escape from the clutches of the departmental disciplinary proceedings. All opportunities contemplated must be provided to the delinquent official. Equally, the Disciplinary Authority must proceed with the departmental disciplinary proceedings and conclude the same as expeditiously as possible.

4. Accordingly, the following orders are passed:

- (i) The writ petition is allowed.
- (ii) The impugned order of suspension in proceedings Na.Ka.No.3935/Uu1/2014, dated 04.07.2014, passed by the second respondent, is quashed.
- (iii) The respondents are directed to proceed with the departmental disciplinary proceedings and conclude the same as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.
- (iv) The writ petitioner is directed to co-operate for the early disposal of the departmental disciplinary proceedings and in the event of non-cooperation on the part of the writ petitioner, the same shall be recorded in the proceedings itself by the authorities competent.



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(v) No costs.

(vi) Consequently,
petition is closed.

connected

miscellaneous

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To:

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

2.The Regional Joint Director of
Collegiate Education,
Madurai Region, Madurai District.

+1 CC to Mr.R.R.THAMOTHARRAJ, Advocate SR-81834.

+1 CC to SPL GP SR-81935.

W.P. (MD) No.11625 of 2014

and

M.P. (MD) No.1 of 2014

14.08.2019

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