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W.P.(MD)No.6383 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.6383 of 2020

and

W.M.P.(MD) No.5634 of 2020

(Through Video conferencing)

Dr.Vinoth Kumar Raja

...Petitioner

-Vs-

1. The Secretary,
Union of India,
Department of Higher Education,
Ministry of Human Resources Development,
Government of India,
New Delhi - 110 001.
2. The Secretary,
Union of India,
Department of Personnel and Training,
Ministry of Personnel,
Public Grievances and Pensions,
Government of India,
New Delhi - 110 001.
3. The Director,
Indian Institute of Technology,
Madras, Chennai - 600 036.(TN)
4. The Registrar,
Indian Institute of Technology,
Madras, Chennai - 600 036.(TN)
5. The Dean (Administration),
Indian Institute of Technology,
Madras, Chennai - 600 036.(TN)
6. The Head of Department,
Department of Chemical Engineering,
Indian Institute of Technology,
Madras, Chennai - 600 036.(TN)

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of mandamus, directing the respondents to restrain or to prohibit from declaring the results in view of IIT Madras Faculty Recruitment Advertisement No.IITM/R/4/2019, Dated

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



23.10.2019 and further direct to declare the cadre wise, category wise, Backlog vacancies for SC/ST and the merit list following the reservation policies before publishing the final result in view of The Central Educational Institutions (Reservation in Teachers's Cadre) Act, 2019 and his representation dated 13.05.2020.

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For Petitioner : Mr.C.Masilamani
For Respondents : Mr.V.Kathirvelu, ASGI
Assisted by Mr.P.Subbiah, CGSC,
for RR1 and 2
Mr.Karthik Rajan for RR3 to 6

ORDER

The learned counsel appearing for the petitioner, after some arguments, especially in the context of the objection raised by the respondent counsel with regard to the territorial jurisdiction of this Court to entertain the writ petition, since, admittedly, no cause of action arisen within the jurisdiction of this Court, instead, the cause of action arose only within the jurisdiction of the Principal Bench of this Court at Chennai, fairly submitted that he may be permitted to withdraw the writ petition on that ground with liberty to approach the Principal Seat immediately.

2.Considering the said submission made by the learned counsel appearing for the petitioner and after hearing the learned counsel appearing for the respondents, this Court is inclined to accept the request made by the petitioner counsel and accordingly, he is permitted to withdraw the writ petition with liberty to approach the Principal Seat of this Court at Chennai.

3.This writ petition is dismissed as withdrawn accordingly with liberty to approach the Principal Seat of this Court at Chennai. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

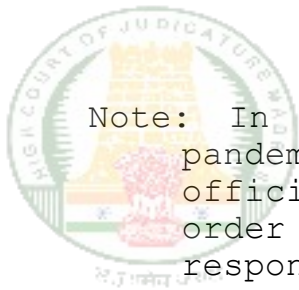
Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Arul



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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ii. The Registry is directed to return the original papers along with all the documents filed by the petitioner to the petitioner immediately.

To

1. The Secretary, Union of India,
Department of Higher Education,
Ministry of Human Resources Development,
Government of India, New Delhi - 110 001.

2. The Secretary, Union of India,
Department of Personnel and Training,
Ministry of Personnel,
Public Grievances and Pensions,
Government of India, New Delhi - 110 001.

3. The Director,
Indian Institute of Technology,
Madras, Chennai - 600 036. (TN)

4. The Registrar,
Indian Institute of Technology,
Madras, Chennai - 600 036. (TN)

5. The Dean (Administration),
Indian Institute of Technology,
Madras, Chennai - 600 036. (TN)

6. The Head of Department,
Department of Chemical Engineering,
Indian Institute of Technology,
Madras, Chennai - 600 036. (TN)

Copy to: 1. The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

2. The Sub Assistant Registrar (Writs),
Madurai Bench of Madras High Court, Madurai.

Order made in
W.P. (MD) No. 6383 of 2020
21.08.2020

CS (21.08.2020) 3P 9C