



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.11661 of 2020

and

W.M.P. (MD)Nos.10149 and 10150 of 2020

WEB COPY

G.Veerabahu

... Petitioner

Vs.

1.The Secretary,
Department of Higher Education,
Ministry of Human Resource Development,
Shastri Bhavan, New Delhi - 110001.

2.The Board of Governors of Indian Institute of Management
Tiruchirappalli,
Represented by its Director,
Indian Institute of Management,
Tiruchirappalli.

3.The Director,
Indian Institute of Management Tiruchirappalli,
Tiruchirappalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed against the petitioner by the third respondent vide his proceeding, dated 01.09.2020 and quash the same as illegal, arbitrary, within the time.

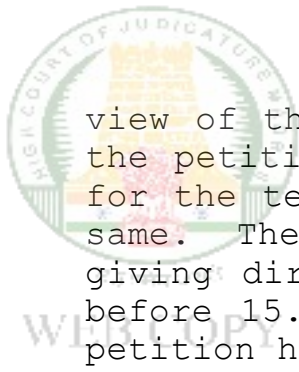
For Petitioner : Mr.P.M.Vishnuvardhanan
for A.Balaji

For R2 and R3 : Mr.V.Raghuvaran Gopalan

ORDER

The prayer sought for herein is for a Writ of Certiorari calling for the records pertaining to the impugned order passed against the petitioner by the third respondent vide his proceeding dated 01.09.2020 and quash the same as illegal, arbitrary, within the time frame as fixed by this Court.

2.The petitioner was working as a Teaching Faculty in the 2 and 3 respondents institute, where the service of the petitioner was terminated by order of the respondent dated 09.04.2020. In



view of the termination of the petitioner from the service, since the petitioner is already in occupation of the quarters earmarked for the teaching faculty of the respondents, he has to vacate the same. Therefore, in this regard on 01.09.2020 an order was passed giving direction to the petitioner to vacate the quarters on or before 15.09.2020. Challenging the said order, the present writ petition has been filed.

3.The learned counsel for the petitioner made a request during the last hearing that due to COVID-19 situation, he is not in a position to immediately move from the quarters. Therefore, he wants a breathing time to vacate the quarters. He requires almost a months time.

4.Therefore, in that context only, notice was directed to be given to the respondents especially the respondents 2 and 3 and, on notice, today, when the matter was taken up for hearing, Mr.V.Raghuvaran Gopalan, learned Standing Counsel for the respondents 2 and 3 has submitted, on instructions, that, if the petitioner has come forward to give a solemn undertaking before this Court and it has been recorded that within a period of one month from today(16.09.2020), he will be able to vacate the quarters, the respondents 2 and 3 will bear the one month period.

5.In view of the stand taken by the learned standing counsel for the respondents 2 and 3, the learned counsel for the petitioner who appeared before this Court through Video Conference, has given a solemn undertaking on behalf of the petitioner, that the petitioner would vacate the quarters in question on or before 16.10.2020.

6.In view of the said undertaking given by the learned counsel for the petitioner which is taken on record, this Court feels that a period of one month time can be given to the petitioner to vacate the premises and this Court is inclined to dispose of this Writ Petition with the following orders;

a)that the petitioner is permitted to retain the quarters for the maximum of one month time from today(16.09.2020) and he shall vacate the quarters on or before 16.10.2020.

b)it is made clear that no further extension of time to vacate the premises, beyond 16.10.2020, shall be considered under any circumstances.

c)it is further made clear that on completion of the one month period that is on 16.10.2020, still the petitioner retains the quarters, it is open to the respondents 2 and 3 to take any coercive action to vacate the petitioner from the quarters.



7. With these directions and observations, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. However, there is no orders as to costs.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

pnn

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.

To

1. The Board of Governors of Indian Institute of Management Tiruchirappalli,
Represented by its Director,
Indian Institute of Management,
Tiruchirappalli.
2. The Director,
Indian Institute of Management Tiruchirappalli,
Tiruchirappalli.
3. The Secretary,
Department of Higher Education,
Ministry of Human Resource Development,
Shastri Bhavan, New Delhi - 110001.

W.P. (MD)No.11661 of 2020
16.09.2020

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