

IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 15.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MS.JUSTICE P.T.ASHA

W.A.No.2640 of 2012

Bader Sayeed

... Appellant

versus

1. The Southern India Education Trust,
Administering JBAS College for Women,
(Aided Institutions) &
JBAS MMHS Boys School and FBMHS
for Girls and Dyslexia Centre,
registered under the Societies Registration Act
and having its office at No.54,K.B.Dasan Road,
Teynampet, Chennai-600 018,
represented by its Secretary.

2.Moosa Raza

3.Dr.M.S.Mehkari

4.Faizur Rahman Sayeed

5.University of Madras,
rep. by its Registrar,
Chepauk, Chennai-600 005.

6.The Director of School Education,
College Road, Chennai-600 006.

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

...Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent to
set aside the order made in W.P. No.480 of 2010 dated 03.08.2012
and to allow this appeal.

Prayer in W.P. No. 480/2010:

Writ Petition is filed under Article 226 of the
Constitution of India, praying for a Writ of Certiorarified
Mandamus, calling for the records relating to the communication

of the 1st respondent dated 01.01.2010 in SIET Ref.No.6473/10/2010, and quash the same and direct the 1st respondent to constitute a Committee as per Vishaka's judgment of the Hon'ble Supreme Court to enquire into the allegations made against the respondents 3rd and 4th under the circumstances stated above.

For Appellant : Mr.G.Rajagopalan,
Senior Counsel for
Mr.S.Thiruvengatasamy

For Respondents: Mr.C.Manishankar,
Senior Counsel for
Mr.J.Vasu for
R1 to R4

Mr.L.P.Shanmugasundaram for R5

Mr.C.Munusamy,
Special Government Pleader (Edn.)
for R6 & R7

JUDGMENT

(Judgment of this Court was delivered by T.RAJA,J.)

Mr.G.Rajagopalan, learned senior counsel appearing for the appellant submitted that although there was an anonymous complaint alleging sexual assault against respondents 3 and 4, the first respondent, refusing the request to constitute a committee, closed the matter holding that the complaint was an anonymous on 01.01.2010. As against the same, when the above writ petition was filed, the learned Single Judge of this Court, holding that no need has arisen for constituting the committee to probe into the anonymous complaint given by unknown person, had dismissed the writ petition. As against the same, this present writ appeal has been filed. Learned senior counsel fairly submitted that as per the Vishaka's judgment, it is mandatory on the part of the each and every establishment to constitute a committee called Gender Sensitisation Committee against Sexual Harassment at workplace to look into such anonymous complaint, therefore, during the pendency of this matter, if the first respondent has constituted the committee to redress any such complaint alleging sexual assault against the staff members, working in the establishment, he would be withdrawing this appeal.

2.In reply, Mr.C.Manishankar, learned Senior Counsel appearing for respondents 1 to 4 submitted that as per law, a Gender Sensitisation Committee has been constituted as per law.

3.Recording the statement made by Mr.C.Manishankar, learned Senior Counsel appearing for respondents 1 to 4, the writ appeal stands closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Director of School Education,
College Road, Chennai-600 006.

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

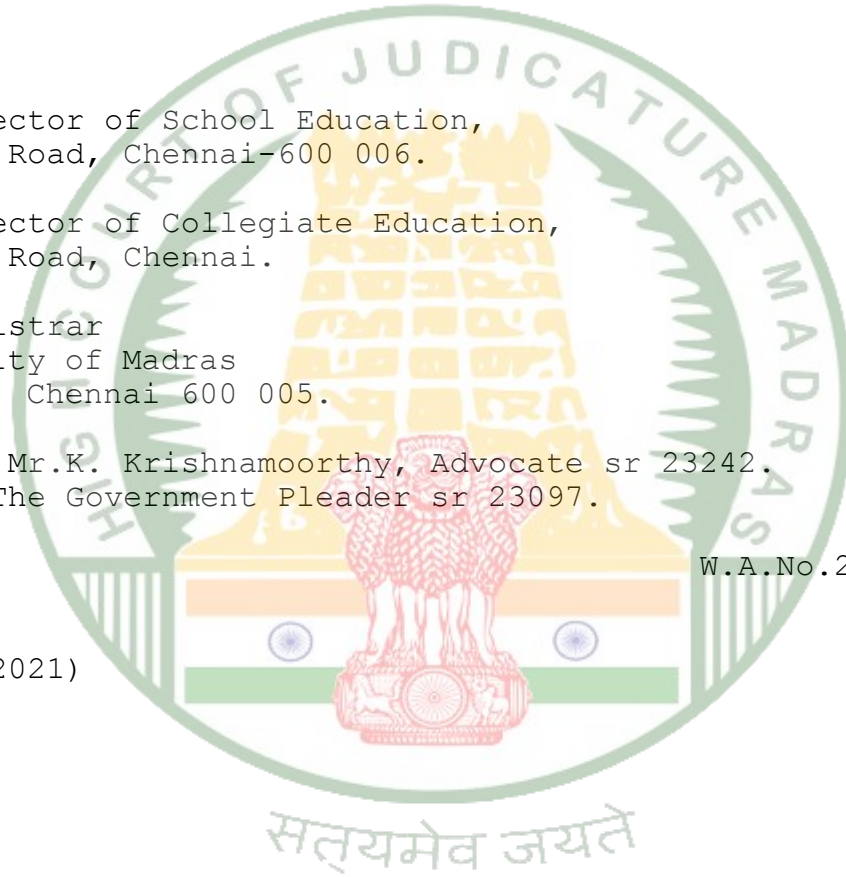
3.The Registrar
University of Madras
Chepauk, Chennai 600 005.

+2 CCS to Mr.K. Krishnamoorthy, Advocate sr 23242.

+1 Cc to The Government Pleader sr 23097.

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GSM(CO)
SP(18/06/2021)



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