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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.6178, 4756 & 4760 and 6664 of 2019
and

W.M.P.Nos.7121, 5391 & 7489 of 2019 and
17639 of 2021, 24977, 26574, 24970 & 26573 of 2019

(Through Video Conferencing)

W.P.No.6178 of 2019:-

S.N.Deepa	...Petitioner in W.P.Nos.6178, 4756, 4760 of 2021
Dr.S.Srinivasan	...Petitioner in W.P.No.6664 of 2021

Vs

1.The State of Tamil Nadu,
Rep by its Secretary,
Department of Higher Education,
Secretariat, Fort St.George,
Chennai - 600 009.

2.Anna University,
Rep by its Registrar,
Anna University,
Chennai - 600 025. ... Respondents 1 & 2 in W.P.Nos.
6178, 4756, 4760 & 6664 of 2019

3.K.Kanthavel
Assistant Professor,
Department of Mechanical Engineering,
Anna University, Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

4.Ms.P.Renukadevi
Assistant Professor,
Department of Bio Technology,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.



5.Dr.K.Rajasekar
Assistant Professor,
Department of Nano-Technology,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

6.S.Saravanakumar
Assistant Professor,
Department of Electronics and Communication Engineering,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

7.R.Vijayabhasker
Assistant Professor,
Department of Electronics and Communication Engineering,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

8.Mr.M.Newlin Rajkumar
Assistant Professor,
Department of Computer Science Engineering,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

9.Ms.M.S.Premapriya
Assistant Professor,
Department of Management Studies,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

10.Mr.S.V.Manisekaran
Assistant Professor,
Department of Information Technology,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

11.Ms.S.Srividhya
Assistant Professor,
Department of Management Studies,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.



12.Mr.D.Sivakumaran
Assistant Professor,
Department of Management Studies,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

13.Mr.S.Karthikeyan
Assistant Professor,
Department of Management Studies-DODE,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

14.Dr.S.Chandrakumara Mangalam
Assistant Professor,
Department of Management Studies,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

15.Dr.M.Saravana Kumar
Assistant Professor,
Department of Management Studies,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

16.Dr.P.Vikkraman
Assistant Professor,
Department of Management Studies,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

17.Dr.M.V.Subha
Assistant Professor,
Department of Management Studies-DODE,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

18.Dr.C.Muthuvelayutham
Assistant Professor,
Department of Management Studies-DODE,
Anna University, Regional Campus - Coimbatore,
Navavoor Pirivu, Somayampalayam Post,
Coimbatore - 641 046.

...3rd to 18th Respondents in W.P.No.6178 of 2019



(R3 to R18 are impleaded vide order dated 14.03.2019 made in WMP.No.8013/2019 in W.P.No.6178/2019)

19.The Seven Member Committee,
Rep by its Registrar (presently),
Anna University, Chennai.

... 3rd Respondent in W.P.No.4756 of 2019

Prayer in W.P.No.6178 of 2019: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the Minutes of the Syndicate of the 2nd respondent University resolving to accept the report of the Seven Member Committee dated 12.01.2016, insofar as it pertains to the teaching staff of the Regional Campus of Anna University, Coimbatore and to quash the same as being illegal and unsustainable in law, and for a consequential direction to absorb the petitioner in the 2nd respondent in the cadre of Associate Professor.

Prayer in W.P.No.4756 of 2019: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the entire records relating to the Report of the Seven Member Committee, the 3rd respondent herein dated 12.01.2016, constituted by the 2nd respondent to examine the issue of improper appointments of teaching and non-teaching staff of the erstwhile Anna Universities of Technology, insofar as it pertains to the teaching staff of the Regional Campus of Anna University, Coimbatore and to quash the same as being illegal and unsustainable in law.

Prayer in W.P.No.4760 of 2019: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to constitute a fresh Committee with experts in the field of Technical Education, headed by a retired High Court Judge to suggest methods of absorption of staffs appointed by the erstwhile Anna Universities of Technology in the Anna University, Chennai.

Prayer in W.P.No.6664 of 2019: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the Minutes of the Syndicate of the 2nd respondent University resolving to accept the report of the Seven Member Committee dated 12.01.2016, insofar as it pertains to the petitioner herein and to quash the same as being illegal and unsustainable in law, and for a consequential direction to absorb the petitioner in the 2nd respondent in the cadre of Professor in the Department of Computer Science and Engineering.



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For Petitioner : M/s.N.Kavitha Rameshwar
(In all W.Ps)
For Respondents : Mr.L.S.M.Hasan Fizal
Government Advocate for R1
Mr.N.G.R.Prasad, Sr.Counsel
Asst.by R.Govardhan for
M/s.Row and Reddy for R2
(all WPs)
Mr.P.Wilson, Sr. Advocate for
M/s.P.Wilson Associates and
Mr.G.Sankaran for R3 to R8, 10 to 15
Mr.M.Ramdoss for R9
M/s.Ananda Gomathi for R16 to R18
(in W.P.6178 of 2019)

C O M M O N O R D E R

Appearing on behalf of the petitioners, M/s.N.Kavitha Rameshwar submits that the petitioners are not interested in pursuing with the remedy in these writ petitions. Therefore, the learned counsel for the petitioners prays leave of this Court to withdraw the same with liberty to initiate appropriate proceedings in case, any adverse proceedings initiated by the 1st respondent and 2nd respondent against them in future.

2. Appearing on behalf of the private respondent Nos.3 to 18, who are impleaded pursuant to an order in W.M.P.No.8013 of 2019 in W.P.No.6178 of 2019 dated 14.03.2019 filed by the petitioner, the learned Senior Counsel of the respondents submits that the writ petition to be withdrawn cannot be allowed as certain rights have accrued to them which have to be adjudicated in this writ petition.

3. Learned Senior Counsel submits that an interim order passed on 14.11.2019 has recognised the rights of these impleaded parties in W.P.No.6178 of 2019 and inasmuch as the order makes it clear that the official respondents were directed to proceed with the absorption of the other eligible candidates including the petitioner, if eligible as per Resolution dated 06.02.2019.

4. The learned counsel for the 2nd respondent Anna University submits that the respondent Nos.3 to 18 who were impleaded pursuant to the order dated 14.03.2019 cannot insist that their rights have to be decided on merits in these writ petitions, as the petitioners are themselves not interested in pursuing with their remedy.



5. I have considered the arguments advanced by the learned counsel for the petitioners and the learned Government Advocate for R1, learned Counsel for R2 in all writ petitions and the learned Senior Counsel for R3 to R8, and R10 to R15 and the learned counsel for R9 and learned counsel for R16 to R18.

6. As a matter of fact, some of the impleaded parties have filed W.P.No.18934 of 2021. They are pursuing their remedy separately in the said writ petition.

7. Therefore, the private respondents who were impleaded as respondents 3 to 18 in W.P.No.6178 of 2019 cannot insist upon the disposal of the above writ petition on merits.

8. In view of the above, these writ petitions are closed with liberty to impleaded parties i.e. respondents 3 to 18 in W.P.No.6178 of 2019 to independently pursue their remedy in W.P.No.18934 of 2021 before this Court.

9. Liberty is also given to the petitioners herein in all these writ petitions to work out their remedy against official respondents if any recovery is initiated. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
Department of Higher Education,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Registrar,
Anna University,
Anna University, Chennai - 600 025.



3.The Registrar,
Seven Member Committee,
Anna University, Chennai.

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+2cc to M/s.N.Kavitha Rameshwar, Advocate Sr.45424
+1cc to M/s.Row and Reddy, Advocate Sr.45578
+1cc to the Government pleader Sr.45843

W.P.Nos.6178, 4756 &
4760 and 6664 of 2019

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srg 28/10/2021