

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

REV.APLW.No.101 of 2021
and
W.M.P.Nos.17433 & 17434 of 2021

Dr.S.Subramanian,
Professor, Department of Biochemistry,
University of Madras, Guindy Campus,
Chennai – 25.Petitioner

-Vs-

- 1.The Registrar,
University of Madras,
Chepauk, Chennai – 600 005.
- 2.Dr.V.Elangovan,
Professor and Head,
Department of Biochemistry,
University of Madras,
Guindy Campus, Chennai – 600 025.
- 3.The Principal Secretary and
Members-Syndicate,
University of Madras,
Higher Education Department,
Secretariat, Fort St. George,
Chennai – 600 009.

4.The Science City,
Rep by its Vice-Chairman,
Gandhi Mandapam Road,
Chennai – 600 025.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, prayed to recall and review the Judgment dated 14.07.2021 in W.P.No.31922 of 2018 and consequently allow the writ petition.

For Petitioner : Mr.Sathish Parasaran,
Senior Counsel
for Mr.R.Parthasarathy

For R1 & 3 : Mr.L.P.Shanmughasundaram
For R2 & 4 : No Appearance

ORDER

The grievance of the petitioner in the main Review Petition is that, though he had sought for information in his earlier representations and for retrieving the original testimonials, the respondents had not addressed their grievances and returned the documents.

2. The writ petition came to be closed, based on the averments in the counter affidavit filed by the first respondent, wherein it was stated that the petitioner's representations were already considered and thereby, the prayer

has become infructuous. The prayer in the writ petition was for issuance of a Writ of Mandamus to direct the first respondent to consider the petitioner's three representations dated 02.07.2018 only. It is in this connection that this Court had felt that the prayer had become infructuous, in view of the fact that the first respondent had disposed of the representation.

3. The learned Senior Counsel for the petitioner would submit that the petitioner herein is not only deprived of the original testimonials which was the subject matter of his representations, since the first respondent had failed to return the same, but also that they are not in a position to challenge the inaction on the part of the first respondent, in view of the earlier order passed in the writ petition for the same cause of action.

4. The scope of reviewing an order of this Court is very limited to rectify the apparent errors on the face of the order. The grounds raised in the present review petition may not be such grounds to review the order, but rather may amount to reappraisal of the grievance of the petitioner once again. Nevertheless, if the petitioner is granted liberty to file a fresh writ petition touching upon the same cause of action or the inaction on the part of the

respondents in returning the original testimonials, the ends of justice could be secured.

5. In the light of the above observations, this Review Petition stands closed with liberty to the petitioner to file a fresh writ petition in the aforesaid terms. No costs. Consequently, connected miscellaneous petitions are closed.

28.09.2021

Index:Yes/No
Internet:Yes/No
hvk/ata



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To

1.The Registrar,
University of Madras,
Chepauk, Chennai – 600 005.

2.The Principal Secretary and Members-Syndicate,
University of Madras,
Higher Education Department,
Secretariat, Fort St. George,
Chennai – 600 009.

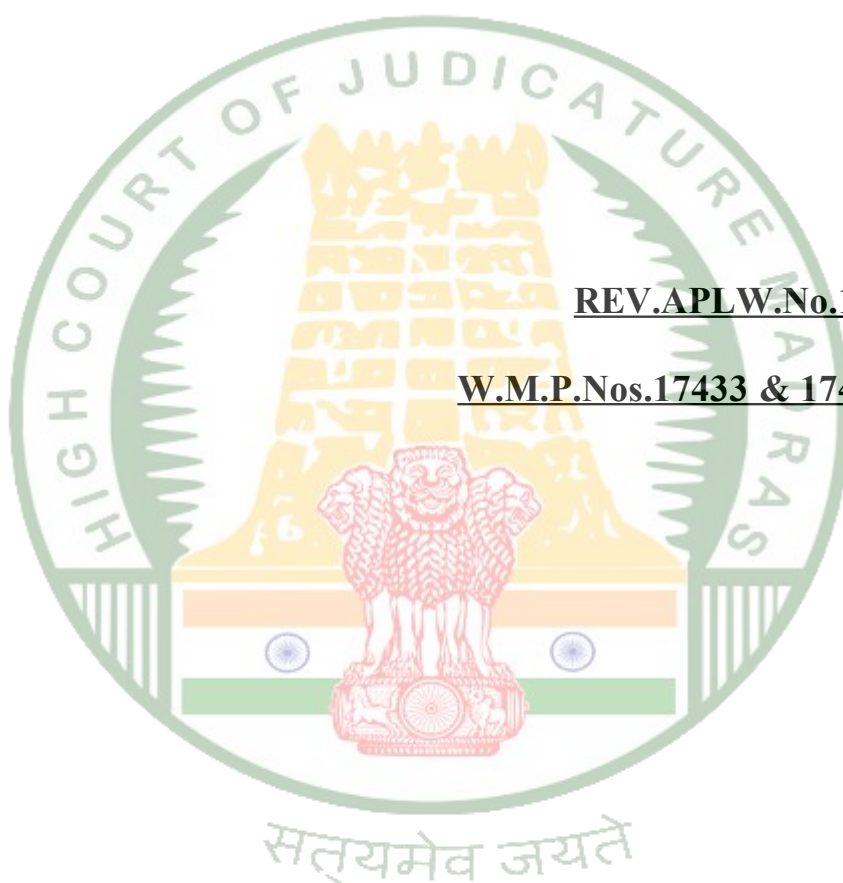


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M.S.RAMESH,J.

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