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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.12.2021

Coram

The Hon'ble Mr. Justice V.PARTHIBAN

W.P.No.24467 of 2021

&

W.M.P.No.25788 of 2021

Dr.Shrimathy Ramalingam,
Principal-in-charge & Associate Professor of Commerce
Pachaiyappa's College for Women, Kanchipuram
D/o.Ramalingam
No.5, Ashtabujam Sannadhi Street,
Kanchipuram - 631 501.

...Petitioner

Vs.

- 1.Government of Tamilnadu
Rep.by Principal Secretary to Government,
Department of Higher Education,
Secretariat, Chennai - 600 009.
- 2.The Director of Collegiate Education
DPI Campus, College Road,
Chennai - 600 006.
- 3.The Joint Director of Collegiate Education,
Vellore Region, Vellore - 632 006.
- 4.The Pachaiyappa's Trust
Rep.by its Secretary,
Pachaiyappa's College Campus,
Chennai - 600 030.
- 5.Pachaiyappa's College for Women,
Rep.by its Principal,
Kanchipuram - 631 501.
- 6.Pachaiyappa's College,
Rep.by its Principal-in-charge,
Pachaiyappa's College Campus,
Chennai - 600 030.

...Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus to call for the records from the 4th respondent relating to the proceedings in Roc.No.A1/2271/2021 dated 02.11.2021 and quash the same insofar as it orders Transfer of the Writ Petitioner from Kanchipuram College to Chennai and vice-versa as illegal, arbitrary, without jurisdiction, punitive and to consequently direct the respondents to continue the petitioner's service in the Pachaiyappa's College for Women, Kanchipuram, 5th respondent herein in the position she was holding prior to the issuance of the impugned proceedings together with continuity of service, monetary and other benefits.

For Petitioner .. Mr. K.Srinivasa Murthy

For R1 to R3 .. Mr.V.Veluchamy,
Additional Government Pleader

For R4 to R6 .. Mr.B.Vijay
for Ms.Dakshayini Reddy

ORDER

This Writ Petition is filed to call for the records from the 4th respondent relating to the proceedings Roc.No.A1/2271/2021 dated 02.11.2021 and quash the same insofar as it orders Transfer of the Writ Petitioner from Kanchipuram College to Chennai and vice-versa as illegal, arbitrary, without jurisdiction, punitive and to consequently direct the respondents to continue the petitioner's service in the Pachaiyappa's College for Women, Kanchipuram, 5th respondent herein in the position she was holding prior to the issuance of the impugned proceedings together with continuity of service, monetary and other benefits.

2.In view of the certain developments which have taken place subsequent to the filing of this Writ Petition, this Court finds that there is no issue survives for consideration and therefore the Writ Petition stands dismissed as having become infructuous.

3.Mr.K.Srinivasa Murthy, learned counsel for the petitioner would submit that the interregnum period of the pendency of the Writ Petition, should not be held against the Writ petitioner and she must be treated to have worked continuously without interruption in service in whichever



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capacity she is stated to work during this period. At this, Mrs. Dakshayini Reddy, learned counsel for the respondents 4 to 6 stated that as regards the continuity of service during the interregnum period, the petitioner is at liberty to approach the Management for regularizing the period. In case, any such representation is made, the same shall be dealt by the Management sympathetically. The petitioner is at liberty to approach the Management seeking redressal of her grievance if she is so advised.

4. Accordingly, the Writ Petition stands dismissed as having become infructuous. No costs. Consequently, the connected miscellaneous petition stands closed.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

mrm
To

1. The Principal Secretary to Government,
Government of Tamilnadu
Department of Higher Education,
Secretariat, Chennai - 600 009.

2. The Director of Collegiate Education
DPI Campus, College Road,
Chennai - 600 006.

3. The Joint Director of Collegiate Education,
Vellore Region, Vellore - 632 006.

+1 CC to M/s. Raw & Reddy, Advocate sr 64582.
+1 CC to M/s. Dakshayani Reddy, advocate sr 63997
+1 CC to The Government Pleader sr 65802

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2021 &
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KSM(CO)
SP(21/12/2021)