



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.11.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.30584 of 2017

and

W.M.P.Nos.33497 & 33498 of 2017

Dr.Venkatesh

...Petitioner

..Vs..

1. The Registrar,  
Anna University,  
Chennai - 600 025.

2. The Director,  
Centre for Research,  
Anna University,  
Sardar Patel Road,  
Chennai - 600 025.

3. The Additional Director,  
Centre for Constituent Colleges,  
Anna University,  
Sardar Patel Road,  
Chennai - 600 025.

4. The Dean,  
Anna University Regional Campus Coimbatore,  
Navavoor, Coimbatore - 641 946.

5. The Superintendent of Police,  
Coimbatore District, Coimbatore.

6. The Inspector of Police,  
Vadavalli Police Station,  
Coimbatore.

7. T.K.Kirubaharan

8. Dr.M.Saravanakumar

9. Dr.P.Vikkraman

10.Dr.S.Chandrakumarmangalam

...Respondents



PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to take disciplinary action as well as criminal action against the 7<sup>th</sup> respondent based on the representations dated 06.02.2017, 07.02.2017 and 03.10.2017 made by the petitioner for the illegal acts and criminal acts committed by the 7<sup>th</sup> respondent inside the Anna University Regional Campus, Coimbatore.

For Petitioner : M/s.N.Kavitha Rameshwar

For Respondents : Mr.L.P.Shanmughasundaram  
for R1 to R4

Mr.V.Nanmaran  
Additional Government Pleader  
for R5 & R6

Mr.M.Gnanasekar for R7  
Mr.P.S.Amal Raj for R8 to R10

#### O R D E R

This Writ Petition has been filed, praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to take disciplinary action as well as criminal action against the 7<sup>th</sup> respondent based on the representations dated 06.02.2017, 07.02.2017 and 03.10.2017 made by the petitioner for the illegal acts and criminal acts committed by the 7<sup>th</sup> respondent inside the Anna University Regional Campus, Coimbatore.

2. According to the petitioner, he is working as an Associate Professor in the Department of Management Studies, Anna University Regional Campus, Coimbatore and the 8<sup>th</sup> respondent who is junior to him, has been appointed as Dean in-charge of the Anna University Regional Campus, Coimbatore and he used to interfere with the duties of all the staff including the petitioner and initiate enquiries against the petitioner. While so, one T.K.Kirubharan, 7<sup>th</sup> respondent herein, joined as a Research Scholar under the guidance of the petitioner and was pursuing Ph.D. in Management Studies. Despite extension of time also, the 7<sup>th</sup> respondent has not completed his Ph.D. within the time frame, i.e. in 4 to 6 years as envisaged under the Rules concerned and he had resigned from the post of Assistant Professor without informing to the petitioner.

3. Be that as it may, the petitioner was shocked to receive a letter dated 02.11.2016 from the 7<sup>th</sup> respondent, wherein, unsubstantiated allegations were made against him, alleging that the petitioner had received an illegal gratification to the tune



of Rs.10 lakhs from him. Aggrieved by the same, the petitioner lodged a complaint before the 6<sup>th</sup> respondent police against the 7<sup>th</sup> respondent for taking appropriate action against him. Later, on 22.11.2016, 23.11.2016 and 02.02.2017, the 7<sup>th</sup> respondent came to the University campus with unknown persons and started shouting at the petitioner with derogatory words and called the petitioner to come out from the Class and when the petitioner refused, 7<sup>th</sup> respondent and his men tried to intimidate him and used abusive and unparliamentary words with a deliberate motive to defame the petitioner in front of the students and he also made phone calls threatening him with dire consequences. The petitioner once again approached the 6<sup>th</sup> respondent police station and lodged a complaint against the 7<sup>th</sup> respondent, where, the police conducted a formal enquiry by calling 7<sup>th</sup> respondent and advised the petitioner that the complaint can be processed by the Head of the Institution either the Dean of the Campus or the Registrar of the University and the same would be taken and action would be taken. The grievance of the petitioner is that he is not in a position to work in a safe atmosphere in the University Campus due to the above events and there is threat to his life. The petitioner also made a representation dated 06.02.2017 to the 4<sup>th</sup> respondent seeking the CCTV footages and a copy of the Entry Register maintained by the Security Personnel to collect the material to prove that the 7<sup>th</sup> respondent along with his men entered the campus and acted in high handed manner towards the petitioner. The grievance of the petitioner is that he made several representations to the respondents 1 to 4, seeking to take disciplinary and criminal action against the 7<sup>th</sup> respondent, but there was no action forthcoming from them. Hence, the petitioner is constrained to approach this Court by way of present Writ Petition.

4. A counter affidavit has been filed on behalf of the respondents 8 to 10, stating that there were various complaints made against the petitioner herein by the 7<sup>th</sup> respondent and taking note of the same, the Director Dr.R.Jayavel has nominated the 10<sup>th</sup> respondent as Supervisor in the place of the petitioner. However, the petitioner had mistaken that it was done at the instigation of the respondents 8 to 10. It is also stated that on 19.10.2016, the faculty members of the Department of Management Studies made a representation alleging that in respect of RTI matter, the petitioner made individual and public intimidations in front of corridor during class hours and expressed his anger in an uncivilized and threatening manner, creating stress and tension among faculty members and based on this representation, a formal enquiry had been initiated against the petitioner. The respondents 9 and 10 also sent their confidential reports as against the petitioner about his behavior, disobedience and attitude of insubordination. Further, one Ravi, Associate Professor had a written complaint on



23.12.2016 against the petitioner, stating that he joined as Research Scholar Ph.D. with the petitioner and he paid a sum of Rs.2,30,000/- on various counts and failed to repay the same. In pursuance of various complaints received, a grievance committee was constituted and the petitioner was called to appear before the Committee and the Committee resolved to continue the enquiry after receiving reply from the petitioner. It is also stated that the petitioner has not come up with clean hands before this Court. With these averments, the respondents 8 to 10 sought for dismissal of the Writ Petition.

5. A counter affidavit has also been filed on behalf of the respondents 1 to 4, wherein, while denying the averments and allegations contained in the affidavit filed by the petitioner in support of the Writ Petition, it is stated that the petitioner made complaints against the respondents 7 to 10 and the University had appointed a Committee to probe into the complaints made by the petitioner in respect of his Research Scholar, 7<sup>th</sup> respondent and the Committee would submit its findings shortly. It is also stated that the 1<sup>st</sup> respondent forwarded all other grievances of the petitioner to the Grievance Cell and necessary steps are being taken to ensure to address the grievances of the petitioner.

6. Heard the learned counsel for the petitioner and the learned Addl. Government Pleader for respondents 5 & 6, learned counsel for respondent 7 and the learned counsel for respondents 8 to 10 and perused the entire materials available on record.

7. On a perusal of the entire materials available on record and on consideration of the submissions made by the learned counsel for the parties, this Court finds that there was a dispute between the petitioner and the 7<sup>th</sup> respondent and both of them made complaints against each other. The petitioner lodged the complaints before the police and also before the respondents 1 to 4 against the 7<sup>th</sup> respondent, while the 7<sup>th</sup> respondent also made a complaint against the petitioner before the respondents 1 to 4. Apart from the 7<sup>th</sup> respondent, there are complaints against the petitioner from the respondents 8 to 10. According to the respondents 1 to 4, the University had constituted a Committee to probe into the complaints made by the petitioner in respect of his Research Scholar, 7<sup>th</sup> respondent herein and the Committee is also going to submit its findings shortly after the enquiry. Further, the 1<sup>st</sup> respondent also forwarded all other grievances of the petitioner to the Grievance Cell to consider and address the grievances of the petitioner. Therefore, the respondents 1 to 4 have taken sufficient initiative to probe into the complaints made by the petitioner and further the University also constituted a Committee in this regard. Therefore, the grievances of the petitioner would be probed and



considered by the Committee and as such, no separate orders are necessary.

8. Therefore, this Court feels it appropriate to direct the respondents 1 to 4 to consider the representations made by the petitioner along with Committee Report.

9. Accordingly, the respondents 1 to 4 are directed to await the Committee's Report and after receipt of the Committee's Report, dispose of the petitioner's representation based upon the Committee Report and decide as to whether the sanction for prosecution to be given to the petitioner or not to the 5<sup>th</sup> and 6<sup>th</sup> respondents Police.

10. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected WMPs are closed.

Sd/-  
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Pns

To

1. The Registrar,  
Anna University,  
Chennai - 600 025.
2. The Director,  
Centre for Research,  
Anna University,  
Sardar Patel Road,  
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Centre for Constituent Colleges,  
Anna University, Sardar Patel Road,  
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4. The Dean,  
Anna University Regional Campus Coimbatore,  
Navavoor, Coimbatore - 641 946.



5. The Superintendent of Police,  
Coimbatore District, Coimbatore.

6. The Inspector of Police,  
Vadavalli Police Station,  
Coimbatore.

7. The Public Prosecutor  
High Court, Madras.

+1cc to Mr.M.Gnanasekar, Advocate, S.R.No.58754

+1cc to the Government Pleader, S.R.No.58999

+1cc to M/s.N.Kavitha Rameshwar, Advocate, S.R.No.58743

+1cc to M/s.P.S.Amalraj, Advocate, S.R.No.58612

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PMK(CO)

RGA(07/12/2021)