



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2021

CORAM:

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM**

W.P. (MD) No.10502 of 2021

and

W.M.P. (MD) Nos.8175 & 8176 of 2021

M.Nedunchezian

... Petitioner

-vs-

1.Tamil University
Vagaiyur, Thanjavur-613 010

2.The Registrar
Tamil University
Vagaiyur, Thanjavur-613 010

3.The Vice-Chancellor
Tamil University
Vagaiyur, Thanjavur-613 010

4.The Chancellor
Raj Bhavan, Guindy
Chennai-600 022

5.The Secretary
Tamil Development & Information Department
Fort St.George, Chennai-600 009

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the respondents from allowing any interested persons to vote and from allowing any interested persons from contesting the election for election and nomination as nominees of the Syndicate and the Senate of the first respondent University and as members of the Search Committee, based on and pursuant to the notification dated 28.04.2021 in Government of Tamilnadu Gazette and consequently direct the respondents 4 and 5 to nominate and appoint 2+1 persons to be nominated by the Syndicate and the Senate who do not have any personal interest and who are reputed academicians and scholars in the field of Arts and Science and more particularly in the field of Tamil Language and Tamil Linguistics in the Search Committee to be constituted for recommendation of the panel with three names for appointment of the



new Vice-Chancellor in the first respondent University.

For Petitioner : Mr.Ajoykhose.V.
For Respondents : Mr.Ragadeesh Kumar
for M/s.Isaac Chambers for R1 to R3
Mr.Veera Kathiravan
Senior Standing Counsel for State Govt.
for Mr.A.K.Manickam
Standing Counsel for Government for R4 & R5

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O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

This writ petition filed as a public interest litigation seeks for issuance of a writ of mandamus to forbear the respondents from allowing any interested persons to vote and contest the elections and being nominee of the Syndicate and Senate of the first respondent - University and as member of Search Committee pursuant to the notification dated 28.04.2021 and for consequential directions.

2. We have heard Mr.V.Ajoykhos, learned counsel appearing for the petitioner.

3. Mr.Veera Kathiravan, learned Senior Standing Counsel for the Government, assisted by Mr.A.K.Manickam, learned Standing Counsel for the Government, who accepts notice for the respondents 4 and 5, submits that elections are already over and results have been declared.

4. Furthermore, we find that the persons, against whom allegations are made, are not impleaded as party respondent. In any event, since elections are already over, the prayer sought for by the petitioner cannot be acceded to.

5. Hence, W.P.(MD) No.10502 of 2021 is dismissed. However, this will not prejudice to the petitioner from moving appropriate forum challenging the election, if he is so advised. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

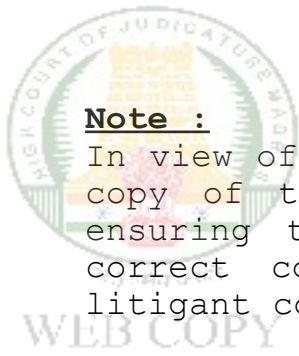
Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

1.The Chancellor,
Raj Bhavan, Guindy,
Chennai-600 022.

2.The Secretary,
Tamil Development & Information Department,
Fort St.George, Chennai-600 009.

+1 CC to M/s.SPL GP (SR-20291[F] dated 25/06/2021), (SR-20292[F]

+1 CC to M/s.ISSAC CHAMBERS, Advocate (SR-20407[F] dated 28/06/2021

W.P. (MD) No.10502 of 2021
and

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