



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

**W.P(MD)No.10905 of 2021
and W.M.P.(MD)No.8563 of 2021**

Dr.A.Hamil

... Petitioner

Vs.

1.Sadakathullah Appa College (Autonomous),
Represented by the Secretary,
Rahmath Nagar,
Tirunelveli - 627 011.

2.The Principal,
Sadakathullah Appa College (Autonomous),
Rahmath Nagar,
Tirunelveli - 627 011.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the proceedings in Ref:D/5 1080/20-21 dated 06.02.2021 initiated by the 1st respondent and quash the same.

For Petitioner : Ms.D.Geetha

For Respondents : Mr.K.Ragatheesh Kumar,
for M/s.Isaac Chambers

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 06.02.2021.

2. According to the petitioner, the respondents without framing any charges or without issuing charge memo have appointed the Enquiry Officer and the petitioner has not been given any opportunity to put forth his case. Therefore, the petitioner has filed this Writ Petition challenging the appointment of the Enquiry Officer.

3. The learned counsel appearing for the respondents would submit that the respondents college will frame charges as against



the petitioner and proceed with the enquiry in accordance with law. He further submitted that this Writ Petition challenging the appointment of Enquiry Officer is not maintainable either in law or on facts and therefore, this Writ Petition is liable to be dismissed.

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4. In view of the undertaking given by the respondents college that they will frame charges as against the petitioner and proceed with the enquiry in accordance with law, this Writ Petition is dismissed. The respondents college shall also be served the charges framed by them to the petitioner along with relevant records. The petitioner shall co-operate for the enquiry before the Enquiry Officer. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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 Secretary,
Sadakathullah Appa College (Autonomous),
Rahmath Nagar,
Tirunelveli - 627 011.

2.The Principal,
Sadakathullah Appa College (Autonomous),
Rahmath Nagar,
Tirunelveli - 627 011.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-29046[F]
dated 14/09/2021)

W. P (MD) No.10905 of 2021
14.09.2021

MGJ(27.09.2021) 2P 4C