



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A. [MD]No.1407 of 2021

WEB COPY

Dr.V.Murugan

...Appellant/Petitioner

Vs.

The Madurai Kamaraj University,
Rep. by its Registrar,
Palkalai Nagar,
Madurai - 625 021.

... Respondent/Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, praying to set aside the order in W.P.[MD]No.21996 of 2019 dated 17.10.2019.

Prayer in WP(MD). 21996/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondent to revoke the suspension of the petitioner and reinstate the petitioner in the post of Assistant Professor in respondent university by considering the representation of the Petitioner dated 26.03.2019 in the light of the Judgement of the Honble Supreme Court in Ajay Kumar Choudhary Vs Union of India reported in (2015) 7 SCC 291 within the time period stipulated by this court.

For Appellant : Mr.T.Lajapathi Roy

JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.T.Lajapathi Roy, learned Counsel appearing for the appellant.

2.This appeal by the writ petitioner is directed against the order in W.P.[MD]No.21996 of 2019 dated 17.10.2019.

3.The appellant, who is arrayed as an accused in Crime No.1 of 2018, concerning a very sensitive matter has sought for revoking his order of suspension and reinstate him in the post of Assistant Professor in the respondent university, by taking note of the judgment of the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary Vs. Union of India** reported in **(2015) 7 SCC 291**. The learned Writ Court, taking into consideration the facts of the case, held that the said decision of the Hon'ble Supreme Court is not



applicable to the case of the appellant and dismissed the writ petition.

4.We are in full agreement with the reasons assigned by the learned Writ Court in not granting the relief sought for in the writ petition. It appears that in the criminal case, trial has already commenced. Further, we note that the appellant was arrested for the offences punishable under Sections 370, 511 IPC, r/w Section 67 of IT Act in Crime No.1 and enlarged on bail. Considering the sensitive issue, it may not be appropriate even to direct the representation of the appellant to be considered. The appellant may renew his request after the conclusion of the criminal case.

5.Accordingly, this Writ Appeal stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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
The Registrar,
The Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-22833[F] dated 16/07/2021)

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RK (23.07.2021) 2P 3C