



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.1236 of 2019

and

W.M.P. (MD) No.1055 of 2019

WEB COPY

Dr. N. Poovalingam
Associate Professor (Now on Termination)
The Department of English
The Manonmaniam Sundaranar University
Abishekapatti, Tirunelveli - 627 012.

... Petitioner

Vs.

1. The Manonmaniam Sundaranar University,
Represented by its Registrar, Abishekapatti,
Tirunelveli, Tirunelveli District - 627 012.

2. Dr. K. Baskar,
The Vice- Chancellor,
The Manonmaniam Sundaranar University,
Abishekapatti, Tirunelvi - 627 012.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of writ of certiorarified mandamus, calling for the records relating to the impugned order of termination from service issued by the first respondent University in No. MSU/R/ ESTT /T / ENGLISH / 50279 dated 21.12.2018, quash the same, and further direct the University to reinstate the petitioner into service forthwith as Associate Professor in the Department of English with all attendant benefits including continuity of service, salary and allowance, and pass orders.

For Petitioner : Mr. Isaac Mohan lal,
Senior Counsel,
for ISAAC Chambers
For Respondents : M. Mahaboob Atfiff
for M/s. Ajmal Associates for R1

O R D E R

The respondent university has submitted a written note before this Court wherein it is stated that the university has decided to withdraw the order of termination already passed which is impugned in the writ petition.



2. Further the learned Counsel appearing for the respondent university has made a request that liberty may be granted to the respondent university to proceed with the disciplinary proceedings in accordance with law by duly complying with the procedure as contemplated in the service statutes of the university.

3. The learned Senior Counsel appearing for the writ petitioner has made an objection for the grant of liberty to the respondent university to proceed with the disciplinary proceedings..

4. Recording the aforesaid statement made by the respondent university, the writ petition stands dismissed as infructuous. However it is open to the respondent university to proceed with the disciplinary proceedings, if it is permissible under law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

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 Registrar,
The Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli- 627 012.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-32615[F] dated 26/10/2021)

W.P. (MD) No.1236 of 2019

and

W.M.P. (MD) No.1055 of 2019

22.10.2021

TR/JGB(15.11.2021) 2P 3C