



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)Nos.5415 and 5426 of 2017

and

W.M.P. (MD) .Nos.4344 and 4356 of 2017

R.Thenarasi

... Petitioner in both W.Ps.
Vs.

1.Manonmaniam Sundaranar University,
represented by the Registrar,
Abishekappatti,
Tirunelveli 627 012.

2.Vinod Vincent Rajesh

3.Mr.John Britto

... Respondents in both W.Ps.

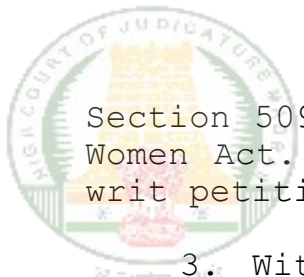
Common Prayer:Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to initiate departmental proceedings against the 2nd respondent as provided under Section 19(h) of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read with the Manonmaniam Sundaranar University Act and Statutes.

For Petitioner	: Mrs.D.Geetha
For R1	: Mr.Mahaboob Athiff
	Standing counsel
For R2 & R3	: No appearance

C O M M O N O R D E R

These writ petitions have been filed for a direction to the first respondent to initiate departmental proceedings against the second respondent as provided under Section 19(h) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read with the Manonmaniam Sundaranar University Act and Statutes.

2. It is brought to the notice of this Court that during the pendency of these writ petitions, another victim viz., Prema filed a writ petition before this Court for the very same relief and this Court issued a direction to lodge a complaint against the particular Professor. Subsequently, a criminal case was registered against the particular Professor in Crime No.80 of 2020 for the offence under



Section 509 of I.P.C. and Section 4 of Prohibition of Harassment of Women Act. Hence, the prayer sought for by the petitioner in these writ petitions has become infructuous.

3. With regard to the initiation of departmental proceedings against the erred Professor, already the Syndicate passed a resolution that (i) his period of suspension to be treated as punishment and he is to be reinstated immediately, (ii) stoppage of two increments without cumulative effect and (iii) severely warned not to repeat.

4. If the petitioner not being satisfied with the punishment imposed by the Syndicate, liberty is granted to the petitioner to file an appeal before the appellate authority for major punishment, on the ground that the offence committed by the second respondent is not tolerable one .

5. With the above observation and direction, these writ petitions are disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2021

Sub Assistant Registrar(CS)

akv
To

The Registrar,
Manonmaniam Sundaranar University,
Abishekappatti,
Tirunelveli 627 012.

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