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W.P.No.27566 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.27566 of 2022

R.Elayaraja

... Petitioner

Vs.

1.The Registrar,
University of Madras,
Chepauk,
Chennai - 600 005.

2.The Chairman,
Don Bosco Arts and Science College,
Kilpauk,
Chennai - 600 010.

3.The Director,
Don Bosco Arts and Science College,
Kilpauk,
Chennai - 600 010.

4.The Secretary,
Don Bosco Arts and Science College,
Kilpauk,
Chennai - 600 010.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the



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respondents herein to reinstate the petitioner into service as the Assistant Professor, Department of Visual Communication under the respondents 2 to 4 herein with full benefits on considering the petitioner's representation dated 24.06.2022 within a stipulated period of time.

For Petitioner : Mr.B.Ganesha Moorthy

For Respondents : Mr.M.Palanimuthu
for R1

Ms.H.Mary Sowmi Rexi
for R2 to R4

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to reinstate the petitioner into service as an Assistant Professor, Department of Visual Communication under the respondents No.2 to 4 together with full benefits, based on the petitioner's representation dated 24.06.2022 within a time frame to be fixed by this Court.

2. The grievance of the petitioner in this Writ Petition is that he was removed from service without any notice on the verge of completion of two years of his service as Assistant Professor in Don Bosco Arts and Science



College / the respondents herein. In such circumstances, he has given a representation on 24.06.2022, seeking for his reinstatement. Since the Writ Petition has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.B.Ganesha Moorthy, learned counsel for the petitioner and Mr.M.Palanimuthu, learned counsel for the respondent No.1 and Ms.H.Mary Sowmi Rexi, learned counsel for respondent Nos.2 to 4.

4. Learned Standing Counsel appearing for the respondents / College would submit that only in accordance with law, the petitioner's service was terminated. However, the same is disputed by the learned counsel for the petitioner who would submit that without any show cause notice and without granting an opportunity to the petitioner, he has been removed from service by the respondents / College.

5. However, this Court is of the considered view that no prejudice would be caused to the respondents if the petitioner's representation dated 24.06.2022, seeking for his reinstatement is considered on merits and in accordance with law within a time frame to be fixed by this Court.



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6. For the foregoing reasons, this Court directs the fourth respondent to pass final orders, on merits and in accordance with law, on the petitioner's representation dated 24.06.2022, seeking for his reinstatement as an Assistant Professor, Department of Visual Communication, within a period of six weeks from the date of receipt of a copy of this order.

7. With the aforementioned directions, this Writ Petition is disposed of. No Costs.

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Index : Yes/No
Speaking Order : Yes / No
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ABDUL QUDDHOSE. J.,

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(2/2)**