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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.31703 of 2017

Dr.Ravi David Austin

... Petitioner

.Vs.

1. Annamalai University,
Rajah Muthiah Dental College & Hospital,
Annamalai Nagar,
Chidambaram,
Tamil Nadu - 608 002.

2. The Syndicate,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Tamil Nadu - 608 002.

3. The Vice-Chancellor,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Tamil Nadu - 608 002.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second and Third Respondents to consider the representation of the Petitioner dated 23.08.2017 in the light of the judgment passed by the Hon'ble Supreme Court of India in Ajay Kumar Choudhary -vs- Union of India and revoke the Petitioner's suspension.

For Petitioner : Mr.D.Muthukumar
For M/s.Paul and Paul

For Respondents : Mr.K.Sathish Kumar



O R D E R

Heard Mr.D.Muthukumar, Learned Counsel appearing for the Petitioner and Mr.K.Sathish Kumar, Learned Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner in this Writ Petition is that the order of suspension in proceedings No.RC.ADMN/AU/CONF DL/2015 dated 08.08.2016 passed by the First Respondent has been continued beyond three months despite the dictum laid down by the Hon'ble Supreme Court of India in Ajay kumar Choudhary -vs- Union of India [(2015) 7 SCC 291].

3. Learned Counsel for the Respondents, on instructions, states that after the filing of the Writ Petition, the Petitioner had attained the age of superannuation on 31.10.2019, but he was not permitted to retire from service and has been sanctioned provisional pension with effect from 01.11.2019 till disciplinary proceedings pending against him are completed. It is also informed that criminal case is also pending against the Petitioner. In view of the same, Learned Counsel for the Petitioner states that the relief sought in the Writ Petition does not survive for consideration and he has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vjt

To

1. Annamalai University,
Rajah Muthiah Dental College & Hospital,
Annamalai Nagar,
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2. The Syndicate,
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+1cc to M/s.Paul and Paul, Advocate, S.R.No.38435

W.P.NO.31703 OF 2017

AD(CO)
PBS/28/06/2022