



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.568 of 2021

W.M.P. (MD) Nos.484 and 485 of 2021

WEB COPY

Dr.K.Suriyan

... Petitioner

Vs.

1.The Principal Secretary to Government
Department of Higher Education
Secretariat,
Fort St. George, Chennai 9

2.The Vice Chancellor
Bharathidasan University
Tiruchirappalli 620024

3.The Registrar,
Bharathidasan University
Tiruchirappalli 620024.

4.The Liaison Officer,
SC & ST Cell
Bharathidasan University
Tiruchirappalli 620024

5.G.Sathiyan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus to call for the records of the 3rd respondent impugned circular Ref No.23438/H2/2020 dated 07.12.2020 and quash the same as illegal and arbitrary and consequently direct the 2nd and 3rd respondents to hand over the department attendance to the petitioner department Centre for Study of Social Exclusion and inclusive policy Bharathidasan University, Tiruchirappalli within the time that may be stipulated by this Court.

For Petitioner

: Mr.A.D.Ganesamoorthy

For Respondents

: Mr.G.V.Vairam Santhosh for R1

Addl. Government Pleader

Mr.V.R.Shanmuganathan for R2to4

Mr.K.Ponniah

for M/s.Ajmal Associates for R5

ORDER

The circular dated 07.12.2020 is sought to be challenged in the present writ petition.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The petitioner is now working as Professor in Bharathidasan University. The grievance of the writ petitioner is that the circular dated 07.12.2020 is not in consonance with the rules.

3. The learned counsel appearing on behalf of the University made a submission that it was the circular issued to all the staff and a policy decision is taken by the University for the purpose of maintaining discipline. This being the factum, the petitioner has no locus to challenge the circular, which was issued in the interest of the institution.

4. Perusal of the impugned circular reveals that a faculty member of a centre for study of social exclusion and inclusive policy are requested to sign in the Attendance Register from 07.12.2020 onwards, which is maintained at H Section of the Registrar office.

5. With a view to maintain discipline in attendance, the University issued a circular. Such circular would not affect any of the service conditions of the employees. The employees are duty bound to work as per the circular issued. If at all any irregularities is noticed, they are liable for disciplinary action under the relevant rules. As far as the impugned circular is concerned, it states that the faculty members are requested to sign the attendance register, which is being followed universally in all such institutions. This being the factum, this Court do not find any infirmity or illegality in the circular issued by the University, which is nothing but a discipline to be followed in University. Thus, the writ petition is devoid of merits and stands dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AS)

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/ /2022

Sub Assistant Registrar(CS)

RR

To

1.The Principal Secretary to Government
Department of Higher Education
Secretariat,
Fort St. George, Chennai 9



+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-18775[F] dated 13/04/2022)

+1 CC to M/s.SPL.GP. (SR-19016[F] dated 18/04/2022)

+1 CC to M/s.A.D. GANESHA MOORTHY, Advocate (SR-19291[F] dated 19/04/2022)

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