



W.P.(MD).No.10087 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.10087 of 2012

and

M.P.(MD)No.2 of 2012

T.Paulpandian

... Petitioner

Vs.

- 1.The Convener Committee,
represented by its Law Secretary,
Manonmaniam Sundaranar University,
Tirunelveli.
- 2.The Manonmaniam Sundaranar University,
represented by its Registrar,
Abhisekapatti,
Tirunelveli – 627 012.
- 3.The Correspondent,
S.T.Hindu College,
Nagercoil.
- 4.The Correspondent,
S.S.Duraisamy Nadar Mariammal College,
Kovilpatti, Tuticorin District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in



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No.MSU/M&E/SYNCIR/2012, dated 25.06.2012, on the file of the Respondent No.2 and to quash the same.

For Petitioners : Mr.T.Lajapathi Roy
For R1 & R3 : No appearance
For R2 : M/s.H.Jasimayasmine
for Ajmal Associates
For R4 : Mr.P.Thiyagarajan

ORDER

The present Writ Petition has been filed challenging the resolution of the syndicate of the second respondent University.

2.The syndicate of the second respondent University has passed a resolution on 25.06.2012. According to the writ petitioner, he has recorded his dissenting remarks and has objected for the passing of the said resolution. However, without considering his objections, the syndicate of the second respondent University has proceeded to pass the resolution. The said resolution is under challenge in the present Writ Petition.

3.The learned Counsel for the respondent University has



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contended that the writ petitioner being a member of the syndicate, he has to accept the majority views and he cannot challenge the resolution on the ground that his dissent was not accepted by the majority of the members.

4.I have carefully considered the submissions made on either sides. The present writ petition has been filed challenging the resolution passed by the syndicate of the second respondent University on 25.06.2012. Admittedly, the syndicate has not been made a party. That apart, being a member of the syndicate, the petitioner has got every right to record his dissenting views in the said syndicate meeting. However, when the majority of the members in the syndicate meeting accepted the resolution, the petitioner has no other go than, to request the recording of the dissent. Other than the said right, the petitioner has no other right to challenge the resolution passed by way of majority.

5.The learned Counsel for the second respondent University brought to the notice of the Court that the Division Bench of our High



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Court in W.A.(MD)No.323 of 2015, dated 23.08.2017, has held that a member of a committee has no locus standi to challenge a decision of the said committee.

6.In view of the above said discussion, I find that the Writ Petition is devoid of merits and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes / No

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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.



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To

The Assistant Director (Rural),
Rural Development,
Office of Rural Development Assistant
Director,
Virudhunagar.



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R.VIJAYAKUMAR ,J.

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Order made in
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