



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2022

CORAM :

WEB COPY

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.7749 of 2021 and
WMP(MD) No.5896 of 2021

Dr.T.Sivaraman

...Petitioner

Vs.

- 1.The Vice Chancellor,
Bharathidasan University,
Tiruchirappalli - 620 024.
- 2.The Registrar,
Bharathidasan University,
Tiruchirappalli - 620 024.
- 3.The Controller of Examinations,
Bharathidasan University,
Tiruchirappalli - 620 024.
- 4.Dr.M.Selvam,
Enquiry Committee,
Dean, Faculty of Management Professor &
Head Dept, of Commerce & Financial studies,
Bharathidasan University, Tiruchirappalli - 620 024.
- 5.Mr.M.R.Rahunathan,
Enquiry Committee, Secretary,
Meenakshi Ramasamy College of Arts & Science,
Trichy Main Road, M.R.Kalvi Nagar,
Thathanur (PO),
Udaarpalayam (TK),
Ariyalur - 621 804.
- 6.Dr.C.Thiruchelvam
Enquiry Committee,
Principal H.H.The Rajah's College (Autonomous),
Pudukottai - 622 001.
- 7.Dr.R.Kannan,
The Principal,
Government Arts & Science College,
Aranthangi,
Pudukkottai District - 614 618.



8.Mr.K.Rajesh,
External Examiner,
Guest Lecturer in Physics,
M.R.Government Arts College,
Mannargudi - 614 001.

9.Mr.A.David Kalaimani Raj,
Internal Examiner,
Guest Lecturer in Physics,
Government Arts and Science College,
Aranthangi,
Pudukkottai District - 614 618.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the third respondent in Ref.No.UG Practical Exam/MP/April 2020, dated 08.03.2021 and quash the same and consequently directing the third respondent to allow the petitioner to continue and act as an examiner in all university exam.

For Petitioner :Mr.V.S.Kumaraguru
For Respondents :No appearance

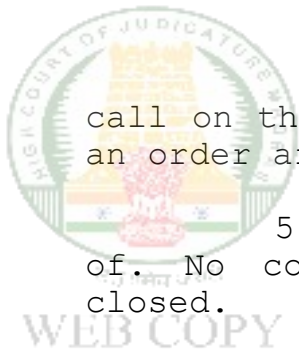
O R D E R

This writ petition is filed as against the order of suspension dated 08.03.2021.

2.The petitioner is working as Guest Lecturer in Physics in Bharathiyar University Constituent College, Orathanadu, Thanjavur District. The third respondent, by the order impugned in this writ petition temporarily suspended the petitioner from participating in any examination process conducted by the Bharathiyar University and aggrieved over the same, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submits that on certain allegations, the third respondent has passed this impugned order and consequently, enquiry was also contemplated, by appointing the High Level Committee, by the University and the Committee has also concluded the enquiry on 12.11.2020 and yet to submit its report.

4.In view of the subsequent developments that a committee has been constituted and enquiry was also concluded during November 2020 itself, and the report alone yet to be submitted, this Court, without expressing anything on the merits of the claim made by the petitioner in this writ petition is inclined to dispose of this writ petition, with a direction to the fourth respondent to submit the enquiry report to the second respondent, within a period of four weeks from the date of receipt of a copy of this order and on receipt of such report, the second respondent shall take a further



call on the impugned order of suspension, dated 08.03.2021 and pass an order afresh, within a period of four weeks from thereon.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

vrn

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.

To

1. The Vice Chancellor,
Bharathidasan University,
Tiruchirappalli - 620 024.

2. The Registrar,
Bharathidasan University,
Tiruchirappalli - 620 024.

3. The Controller of Examinations,
Bharathidasan University,
Tiruchirappalli - 620 024.

4. Dr. M. Selvam,
Enquiry Committee,
Dean, Faculty of Management Professor &
Head Dept, of Commerce & Financial studies,
Bharathidasan University, Tiruchirappalli - 620 024.

W.P (MD) No.7749 of 2021 and
WMP (MD) No.5896 of 2021
12.01.2022