



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2022

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.(MD) No.7212 of 2022

and

W.M.P.(MD) Nos.5452, 5453 & 7632 of 2022

Satheshkumar

... Petitioner

-vs-

1.The Director,
Directorate Collegiate Education,
9th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Nungambakkam, Chennai.

2.The Principal,
Sadakathulaappa College,
Tirunelveli.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the second respondent dated 09.03.2022 and quash the same and consequently direct the respondents to allow the petitioner to continue his course.

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for

Mr.M.Karthikeya Venkatachalapathy

For Respondent-1 : Mr.A.Kannan
Additional Government Pleader

O R D E R

The petitioner herein is a third year student pursuing B.Sc., (Physics) in the second respondent college.

2. It appears that the petitioner herein was arrested in connection with FIR in Crime No.53/2022 dated 14.02.2022 on the file of Teynampet Police Station, Chennai. In view of the said registration of FIR, the second respondent has placed the petitioner



herein under suspension between 03.03.2022 and 21.03.2022. It has initiated disciplinary proceedings against him. Thereafter, the petitioner alleges that the second respondent has not allowed him to take up his experimental examination. The petitioner, being a final year student, the second respondent-College is trying to prevent him from completing his course by not permitting him to take up the experimental examination and other academic activities including both practical and theory.

3. When the matter came up for consideration on 27.05.2022, this Court directed the petitioner herein to serve private notice to the second respondent and list the matter today. Proof of service has been filed, but there is no representation for the second respondent. Mr.A.Kannan, learned Additional Government Pleader, represents the first respondent viz., the Director of Collegiate Education.

4. A perusal of the communication of the second respondent, which is impugned in this writ petition, indicates that due to the misconduct of the petitioner herein outside the college campus, he has been placed under suspension between 03.03.2022 and 21.03.2022. The FIR is an open FIR against 35 persons belonging to Akhil Bharatiya Vidyarthi Parishad (ABVP), a students organisation. This FIR has been registered pursuant to the march of the members of the students union towards the Chief Minister's residence. The petitioner has already suffered interim suspension for a period of 19 days and he cannot be further punished by restraining him from attending his course. Hence, the second respondent is directed to permit the petitioner herein to pursue his academic activities including both practical and theory. Since the alleged activity has taken place outside the college campus and it is not of any grave in nature, no further action against the petitioner is required, since he has already suffered interim suspension for a period of 19 days.

5. With the above observations, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Vacation Officer

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr/krk



To

The Director,
Directorate Collegiate Education,
9th Floor, EVK Sampath Maligai,
DPI Campus, College Road,
Nungambakkam, Chennai.

+1 CC to M/s.M. KARTHIKEYAVENITACHALAPATHY, Advocate (SR-24241[F]
dated 02/06/2022)

+1 CC to M/s.SPL.GP (SR-24259[F] dated 02/06/2022)

W.P.(MD) No.7212 of 2022

01.06.2022

MGJ(09.06.2022) 3P 4C