



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE **B. PUGALENDHI**

W.P. (MD) No. 9311 of 2021

and

W.M.P. (MD) Nos. 7034, 7035 of 2021

and

Cont.P (MD) No. 907 of 2021

in

W.P. (MD) No. 9311 of 2021

WEB COPY

W.P. (MD) No. 9311 of 2021:

Dr.P.Venkumar

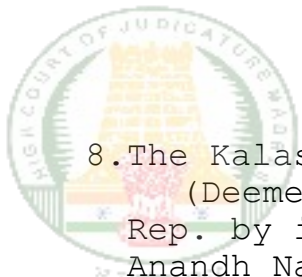
: Petitioner

Vs.

- 1.The Chairman,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110 002.
- 2.The Chairman,
All India Council for Technical Education (AICTE),
Nelson Mandela Marg,
Vasanth Kunj,
New Delhi - 110 070.
- 3.The Secretary,
Department of Higher Education,
Government of Tamil Nadu,
Office of Director of Collegiate Education,
Chennai - 600 006.
- 4.The Chancellor,
Kalasalingam Academy of Research and Education
(Deemed to be University),
Anandh Nagar, Krishnankovil - 626 126,
Srivilliputhur via,
Virudhunagar District.
- 5.Dr.K.Sridharan
- 6.The Vice - Chancellor,
Kalasalingam Academy of Research and Education
(Deemed to be University),
Anandh Nagar, Krishnankovil - 626 126,
Srivilliputhur via,
Virudhunagar District.

7.Dr.R.Nagaraj

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



8. The Kalasalingam Academy of Research and Education
(Deemed to be University),
Rep. by its Registrar,
Anandh Nagar, Krishnankovil - 626 126,
Srivilliputhur via,
Virudhunagar District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the 4th respondent in Ref.No.NIL dated 27.04.2021 communicated to the petitioner by the 8th respondent, quash the same and consequently, to reinstate the petitioner in the post of Senior Professor, Mechanical Engineering, School of Automotive and Mechanical Engineering of 8th respondent University with continuity of service, backwages and all other attendant benefits payable from 27.04.2021.

For Petitioner : Mr.A.Rahul

For Respondents : No representation
for R.1

Mr.N.Dilip Kumar
for R.2

Mr.S.Saji Bino,
Special Government Pleader
for R.3

Mr.M.Ashok Kumar
for R.4 to R.8

Cont.P(MD)No.907 of 2021:

Dr.P.Venkumar : Petitioner

Vs.

1.Dr.K.Sridharan

2.Dr.R.Nagaraj

3.Dr.V.Vasudevan : Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for the wilful disobedience of the interim order passed by this Court in W.P.(MD)No.9311 of 2021 dated 05.04.2021.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.M.Ashok Kumar

**COMMON ORDER**

The writ petition is filed by the petitioner challenging the order passed by the fourth respondent dated 27.04.2021, in and by which, the petitioner was terminated from service.

2. When the writ petition came up for admission on 05.05.2021, this Court has granted interim stay of the order impugned. Alleging that the respondents have wilfully disobeyed the interim order of this Court, the petitioner has moved the contempt petition.

3. When the matters are taken up hearing, learned Counsel appearing for the petitioner as well as the learned Counsel appearing for the contesting respondents, namely, Kalasalingam Academy of Research and Education (Deemed to be University), submitted that pending these applications, the matter has been settled between the parties.

4. A compromise memo dated 31.01.2022, signed by the petitioner, the fourth respondent and their respective Counsel has also been filed before this Court. The terms of the compromise memo read as follows:

"3. The 8th respondent Management is agreeable to pay a sum of Rs.20,00,000/- (Twenty Lakhs only) to the petitioner Dr. Venkumar towards total gratuity for his 24 years of service in the 8th respondent Institution. The writ petitioner agrees to leave the service of 8th respondent on his own accord.

4. The proceedings of the Chancellor of 8th respondent University dated 27.04.2021 communicated by 8th respondent is treated to have been withdrawn.

5. The 8th respondent agrees to return all original certificates to Dr. P. Venkumar forthwith.

6. The 8th respondent agrees to offer a regular faculty job to the writ petitioner's wife Dr. D. Amutha Guka, B.Sc., M.Sc., M.Phil., Ph.D., in the post of Associate Professor in the School of Computing with the pay of Rs.70,000/- since already she worked in the Kalasalingam Group of Institutions for around 15 years.

7. Thus all the issues, grievances of writ petitioner are treated to have been settled by this memo of compromise and both parties amicably agree that there will be no further adjudication of any issues between the parties concerning the employment of writ petitioner."

5. The petitioner has also filed a receipt dated 31.01.2022, that he has received a Demand Draft for Rs.20,00,000/- (Rupees Twenty Lakhs only) vide DD.No.996242 dated 31.01.2022, towards final settlement of all benefits; that he has received all



the original certificates, which he submitted to the University at the time of joining; and that he has also submitted his resignation letter.

6.In view of the aforesaid developments, both the writ petition as well as contempt petition stand closed, as no further order is required to be passed. The compromise memo dated 31.01.2022 shall form part of this order. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

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/ /2022

Sub Assistant Registrar(CS)

gk

To

1.The Chairman,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110 002.

2.The Chairman,
All India Council for Technical Education (AICTE),
Nelson Mandela Marg,
Vasanth Kunj,
New Delhi - 110 070.

3.The Secretary,
Department of Higher Education,
Government of Tamil Nadu,
Office of Director of Collegiate Education,
Chennai - 600 006.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-3526[F] dated 01/02/2022)

+1 CC to M/s.M.ASHOKKUMAR, Advocate (SR-3807[F] dated 02/02/2022)

W.P. (MD)No.9311 of 2021

01.02.2022

MGJ(11.03.2022) 4P 6C