



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

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W.P. (MD) Nos.17252 of 2020 & 9448 of 2021

and

W.M.P. (MD) Nos.14441 of 2020 and 3228, 7170, 7174 & 11635 of 2021

Dr.C.Hentry

... Petitioner in both W.Ps.

vs.

1.The Government of Tamil Nadu
rep.by its Principal Secretary
Higher Education Department
Fort St.George, Chennai-600 009

2.The Director of Collegiate Education
D.P.I.Campus, College Road
Nungambakkam
Chennai-600 006

3.The Joint Director of Collegiate Education
Tirunelveli Region
Tirunelveli

4.St.Jude's College
rep.by its Secretary
Thoothoor-629 176
Kanyakumari District

5.Rev.Fr.O.Sylvester Morais
Secretary
St.Jude's College
Thoothoor-629 176
Kanyakumari District

... Respondents 1 to 5
in both W.Ps.

6.M.Jerin Mathew
Advocate / Enquiry Officer
No.88E, P.T.Rajan Road
Madurai-625 014

... R6 in W.P.(MD) No.
9448 of 2021

PRAYER (in W.P. (MD) No.17252 of 2020): Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records pertaining to the impugned order passed by the 4th respondent in Ref.No.SJC/3053/S/2020, dated 24.10.2020 quash the same and direct



the respondents to reinstate the petitioner into services with effect from 24.10.2020 with all attendant service and monetary benefits.

PRAYER (in W.P. (MD) No.9448 of 2021): Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records pertaining to the impugned Charge Memo dated 25.01.2021 issued by the 4th respondent and the consequential impugned Enquiry Notices dated 20.04.2021 and 28.04.2021 issued by the 6th respondent and quash the same.

For Petitioner :Mr.AR.L.Sundaresan, Senior Counsel
(in both W.Ps.) for Ms.R.Jenifar Bibin

For Respondents :Mr.G.V.Vairam Santhosh
(in both W.Ps.) Additional Government Pleader for R1 to R3
Mr.M.Ajmal Khan, Senior Counsel
for M/s.Ajmal Associates for R4 & R5

For 6th Respondent :No appearance
(in W.P. (MD) No.9448/2021)

C O M M O N O R D E R

Challenging the order of suspension, dated 24.10.2020 and the charge memo, dated 25.01.2021, issued by the fourth respondent, the petitioner has filed the present writ petitions.

2. The petitioner is working as Principal in St.Jude's College. On initiation of disciplinary proceedings, he was placed under suspension and charge memo was issued to him. Several grounds have been raised by the petitioner challenging the impugned suspension order and charge memo. However, during the pendency of the present writ petitions, this Court appointed The Honourable Mr.Justice N.Kirubakaran (Retired) as Administrator by order dated 31.01.2022 in C.R.P. (MD) Nos.1961 & 1962 of 2021.

3. The learned counsel on either side made a consent that the issues involved in the present writ petitions may also be adjudicated before the Administrator as the Administrator has already taken charge and commenced the proceedings.

4. In view of the fact that a retired High Court Judge has been appointed as Administrator to look after the administration of the College and the other affairs, the issues raised between the parties to the present writ petitions also may be adjudicated before the Administrator, who in turn may take appropriate decision and proceed further in accordance with law. Thus, the parties to the writ petitions are at liberty to approach the Administrator for necessary orders.



5. With the above directions, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Principal Secretary,
Higher Education Department,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.

2.The Director of Collegiate Education,
D.P.I.Campus, College Road,
Nungambakkam,
Chennai-600 006.

3.The Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli.

+2 CC to M/s.R.JENIFAR BIBIN, Advocate (SR-22898 & 22899[F]
dated 29/04/2022)

+1cc to M/s.AJMAL ASSOCIATES, SR.No.22875 DATED:29.04.2022

+1cc to M/S.SPL GP, SR.No.22529 DATED:29.04.2022

W.P. (MD) Nos.17252 of 2020 & 9448 of 2021

and

W.M.P. (MD) Nos.14441 of 2020 and 3228, 7170,

7174 & 11635 of 2021

27.04.2022

ac (CO)

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