



WEB COPY



W.P.No.7684 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.7684 of 2023
and
W.M.P.No.7855 of 2023**

V.Yesvanth

... Petitioner

Vs.

1. The Dean,
SRM Institute of Science and Technology,
Ramapuram Campus,
Bharathi Salai, Ramapuram,
Chennai – 600 089.

2. Pooja

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order of the first respondent made in SRM/RMP/DI/FEB/001/2023-2024 dated 03.02.2023, to quash the same and to consequently, direct the first respondent to resume and continue the petitioner in B.Com., (Accounts and Finance) course with Register No.RA2131202020045 and to complete the same.



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For Petitioner : Mr.L.Chandrakumar

For Respondents : Ms.P.R.Uma Maheswari for R1

ORDER

This Writ Petition has been filed to call for the records of the order of the first respondent in SRM/RMP/DI/FEB/001/2023-2024 dated 03.02.2023, quash the same and consequently, direct the first respondent to resume and continue the petitioner in B.Com., (Accounts and Finance) course with Register No.RA2131202020045 and to complete the same.

2. The case of the petitioner is that while the petitioner was pursuing B.Com., in the first respondent University, the second respondent has made a complaint against the petitioner and his friend, viz., Hariharan before the Royala Nagar Police Station. The Law Enforcing Agency has registered a case in FIR No.29 of 2023 against them, pursuant to which, the first respondent University has dismissed the petitioner from the College on 03.02.2023. Challenging the impugned dismissal order, the present Writ Petition has been filed.



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3. The learned counsel appearing for the petitioner would submit that the present Writ Petition has been filed on two grounds viz., before passing the impugned order, no opportunity was given to the petitioner. Secondly, the second respondent has lodged a complaint before the Law Enforcing Agency, as against which, the petitioner and his friend have filed a petition before this Court in CrI.OP.No.11152 of 2023. Thereafter, the petitioner and the second respondent including the said Hariharan have entered into compromise and the same was recorded. This Court has also quashed the impugned FIR. However, the same was not considered by the first respondent. Hence, the petitioner has filed the present Writ Petition with the aforesaid prayer.

4. In reply, the learned counsel appearing for the first respondent would submit that if the dismissal order is a non-speaking order, the petitioner can very well canvas all those points before the Registrar of the SRM Institute of Science and Technology. If the petitioner files an appeal



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before the Registrar within a period of two weeks, the Registrar will conduct a detailed enquiry and pass appropriate orders.

5. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

6. In that view of the matter, this Court is inclined to dispose of the Writ Petition with the following directions:

“(i) The petitioner is at liberty to file an appeal before the Registrar of the SRM Institute of Science and Technology within a period of two weeks from the date of receipt of a copy of this order.

(ii) On receipt of such appeal, the Registrar shall conduct enquiry by affording an opportunity to the petitioner and the affected parties and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of such appeal.

(iii) However, the present impugned order will operate subject to the result of the appeal filed by the petitioner before the Registrar.”



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7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

06.06.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

The Dean,
SRM Institute of Science and Technology,
Ramapuram Campus,
Bharathi Salai, Ramapuram,
Chennai – 600 089.



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M.DHANDAPANI,J.

vji

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