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W.P.No.8997 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.8997 of 2023
and WMP No.9114 of 2023

S.Arivoli

...Petitioner

-Vs-

- 1.The Principal Secretary to Government,
Higher Education (F1) Department,
Namakkal Kavignar Maaligai,
Fort St.George, Chennai-600 009.
2. The Director of Collegiate Education,
Directorate of Collegiate Education,
Chennai-600 006.
3. The Joint Commissioner (Education and Charitable Institutions),
Hindu Religious & Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai-34.
4. The Secretary and Correspondent,
Poompuhar College (Autonomous),
of the Tamil Nadu H.R & C.E. Admn.Dept.,
Melaiyur-609 107,
Sirkali Taluk,
Mayiladuthurai District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order of Termination of Service issued by the 4th respondent in Na.Ka.No.21/A/2023 dated 22.02.2023, quash the same and consequently direct the respondents to restore the petitioner's lien in government service over a substantively permanent post, in accordance with Fundamental Rule 14-A, under either the 1st or 3rd respondent department, with continuity of service, back wages and all consequential benefits.

For Petitioners : Mr.S.Arivazhagan

For Respondents : Mrs.V.Yamuna Devi
Spl.Government Pleader
For R.1 and R.2
Mr.C.Jayaprakash
Govt.Advocate (H.R.& C.E)
For R.3 and R.4

ORDER

Heard Mr.S.Arivazhagan, learned counsel for the petitioner and Mrs.V.Yamuna Devi, learned Special Government Pleader for the respondents 1 and 2 and Mr.C.Jayaprakash, learned Government Advocate for the respondent 3 and 4.



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2. The petitioner herein was originally appointed on 06.07.2018 for a period of one year for the post of Principal in the fourth respondent college and after expiry of one year, he was permitted to function as Principal. Through an impugned order dated 22.02.2023, the fourth respondent herein had relieved the petitioner from service. The petitioner had given representation seeking for re-absorption in the parent department as Professor of the fourth respondent college on 27.02.2023. Though the petitioner had challenged the order dated 22.02.2023 relieving him from the post of Principal, learned counsel for the petitioner submits that the petitioner would be satisfied if the respondents are directed to consider his representation within a stipulated time.

3. In the counter affidavit filed by the respondents 1 and 2, it is stated that the petitioner's representation dated 27.02.2023 is also under consideration as per Rules in force.

4. In this background, there shall be a direction to the first respondent to consider the petitioner's representation dated 27.02.2023 on its own merits and



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pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

23.11.2023

Index:Yes/No
Internet:Yes/No
sr



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M.S.RAMESH,J.,

SR

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