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W.P.No.20405 of 2023 and W.M.P.No.19771 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.20405 of 2023
and W.M.P.No.19771 of 2023

Dr.M. Elango

...

Petitioner

versus

1. Anna University,
Rep.by its Registrar,
Guindy,
Chennai 600025
2. The Vice Chancellor,
Anna University,
Guindy, Chennai 600025.
3. The Registrar,
Anna University,
Guindy, Chennai 600025.

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Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to revoke the order of the suspension dated 17.11.2022 issued to the Petitioner passed by the 3rd Respondent in proceedings



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No.62287/PR20/2005 as requested under representation dated 26.06.2023.

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For Petitioner : Mr. C.S.KJ. Sathish
for M/s.P.G.Aishwariya

For Respondents : Mr. Avinash Watwani

ORDER

1. This writ petition is filed to issue direction to the Respondents to revoke order of suspension dated 17.11.2022 on the basis of his representation dated 26.06.2023.

2. It is the contention of the learned counsel for the Petitioner Mr.C.S.K. Sathish that the Petitioner was placed under suspension on 17.11.2022 and till dated the same has not been revoked. It is the further contention of the learned counsel for the Petitioner that it is only a selective suspension, since the similarly placed persons who are facing the similar charge have not been suspended.

3. Mr.Avinash Watwani learned counsel appearing for the Respondents would submit that the charge against the Petitioner is with



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regard to the purchase related to digitizing encrypting and retrieval of student records in the year 2016 and 2017 thereby misappropriation of University funds to the tune of Rs.65 crores. Originally DVAC proceeded the enquiry. Now they recommended to frame the charges and the documents are voluminous. The Petitioner is not cooperating with the enquiry. Now the university has also filed amended charge sheet which has been objected by the writ petitioner and all the documents relied upon by the university will be given and the enquiry will be over within a short period.

4. Since the enquiry is pending and the learned counsel for the Respondents is undertaking to complete the enquiry within a short period, at this stage, this Court is not inclined to pass any positive direction to review the suspension. But the writ petitioner will cooperate with the enquiry and the enquiry will be completed within a period of six months from the date of receipt of copy of this order. The Respondents are directed to pay the subsistence allowance regularly as per the rules. Since the Petitioner has been paid 50% of subsistence allowance so far, the respondent shall pay 75% of



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allowance as per Tamil Nady Payment of Subsistence Allowance Act.

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5. With the above direction the writ petitioner is disposed of. It is made clear that the Writ Petitioner is entitled to copies which has been relied by the respondent university. This observation will not amount to stay of the order already passed by the enquiry officer. Connected Writ Miscellaneous Petition is closed. No costs.

27.07.2023

NCC : Yes /No

Index : Yes/No

ggs

copy to:

1. The Registrar, Anna University,
Guindy, Chennai 600025
2. The Vice Chancellor, Anna University,
Guindy, Chennai 600025.



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N.SATHISH KUMAR, J.,

ggs

Order in:

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