



W.P.(MD)No.1922 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1922 of 2023

Dr.Prof Kayathiri Devi

... Petitioner

Vs.

- 1.The Director,
The Director of Collegiate Education,
EVK Sampath Maaligai,
DPI Campus,
Nunkampakkam,
Chennai-600 006.
- 2.The Regional Joint Director,
Regional Joint Director of Collegiate Education Office,
Trichy Regional, Near SRM Hotel,
Trichy.
- 3.The Principal,
Kalaingar Karunanithi Government Arts College for Women(A),
Pudukottai.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to appoint committee for conduct an enquiry with regard to the



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above alleged issues based on the petitioner's representation dated 24.12.2022 and consequently direct the third respondent to pay Rs.5 Lakhs as compensation to the petitioner for mental agony within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi
For Respondents : Mr.S.Saji Bino
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the first respondent to appoint a Committee to conduct an enquiry with regard to the alleged issues, based on the petitioner's representation dated 24.12.2022 and consequently direct the third respondent to pay a sum of Rs.5,00,000/- as compensation to the petitioner for mental agony.

2. The case of the petitioner is that she is working as Assistant Professor and Head of the Department (History) in Kalaignar Karunanithi Government Arts College for Women (A), Pudukottai, Pudukottai District



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from 2009 onwards. She was taken under graduate classes in the first shift. In the second shift, one Guest Lecturer viz., Najimunisha was taken under graduate classes. The said Guest Lecturer collected a sum of Rs.1,14,125/- from the second year History Department students in the name of semester fees for the academic years 2021 – 2022, without the knowledge of the petitioner. Hence, the third respondent lodged a complaint before Pudukottai Town Police Station on 12.09.2022. On receipt of the same, an F.I.R. has been registered against him on 12.09.2022 in Crime No.355 of 2022 for the offence under Section 420 of I.P.C., and the petitioner is not aware of the money collected by the said Guest Lecturer. However, the third respondent initiated action as against the petitioner also. Even though the F.I.R., has been registered against the said Guest Lecturer viz., Najimunisha, enquiry was not conducted as against her. Hence, the petitioner has made a representation to the respondents on 24.12.2022. Since the respondents have not taken any action, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the first respondent to conduct an



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enquiry and pass appropriate orders, after providing opportunity to the petitioner as well as Najimunisha including the third respondent.

4. The learned Special Government Pleader appearing for the respondents would submit that though the petitioner claimed that Najimunisha alone collected the money from the students, during the R.D.O. enquiry, Najimunisha made an allegation against the petitioner that with the knowledge of the petitioner the amount was collected from the students.

5. Considering the above said submissions, this Court directs the first respondent to conduct proper enquiry, on the petitioner's representation, dated 24.12.2022 and pass appropriate orders, after affording an opportunity of hearing to the petitioner as well as Najimunisha and the third respondent, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs.

01.02.2023

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

akv

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M.DHANDAPANI,J.

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