



W.P.(MD)Nos.6868 to 6872 & 7585 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2023

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)Nos.6868 to 6872 & 7585 of 2019

and

W.M.P.(MD)Nos.5477 to 5486, 6043 & 6044 of 2019

W.P.(MD)No.6868 of 2019

P.Meenakshi

... Petitioner

Vs.

Manonmaniam Sundaranar University,
Represented by The Registrar,
Abhishekapatti, Tirunelveli.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Declaration, declaring that the order passed by the respondent in Memo No.MSU/R/Estt/Admn/CSSEIP/2018, dated 01.02.2018 as null and void and consequently, to direct the respondent to treat the petitioner as regular employee in accordance with the Syndicate Resolution dated 22.08.2017 in Item No.170.T6.

For Petitioner : Ms.D.Geetha

For Respondent : Mr.Mahaboob Athiff



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COMMON ORDER

All these Writ Petitions arise out of similar facts and circumstances and as such, they are taken up together and disposed of by this common order.

2.By the order impugned in these Writ Petitions, earlier order passed to the benefit of the petitioners absorbing them as Office Assistant etc., in regular vacancies were treated to be cancelled.

3.The learned counsel for the petitioners would submit that when the petitioners are granted with an order of absorbing them on regular basis in the regular vacancies and when the impugned orders cancel the same, it is certainly visits the petitioner with civil consequences and therefore, without complying with the principles of natural justice, the impugned orders are passed and as such are illegal.



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4.The learned counsel for the respondent would factually confirm that indeed no notice or opportunity was provided to the petitioners before the impugned orders are passed.

5.In that view of the matter, these Writ Petitions succeed and are allowed on the following terms:-

“(i)the respective impugned orders dated 01.02.2018 stand quashed, however, with liberty to the respondent to proceed afresh if they choose to by issuing a show cause notice and affording an opportunity to the petitioners and thereafter, decide the matter on merits and in accordance with law; and

(ii)the petitioners will be entitled to raise all the contentions raised before this Court, before the respondent.”

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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NCC :Yes/No
Internet :Yes/No
Index :Yes/No
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