



W.P(MD)No.15529 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15529 of 2023

and

W.M.P(MD)No.13059 of 2023

Vimalanathan

... Petitioner

Vs

Manonmaniam Sundaranar University,
Represented by its Registrar,
Abishekapatti,
Tirunelveli District.

... Respondent

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 relating to the impugned show cause notice dated 15.06.2023 from the respondent university by and quash the same and consequently to direct the respondent to disburse the remaining 10% of the retirement benefit with interest to the petitioner within the time period fixed by this Court.

For Petitioner : Mr.T.Antony Arulraj



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W.P(MD)No.15529 of 2023

For Respondent : Mr.Mahaboob Athiff
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner has come before this Court at the show cause notice stage. The learned counsel appearing for the petitioner questions the impugned communication primarily on the ground of jurisdiction. It is stated that the letter based on which the notice has been issued has already been quashed by this Court. If that be so, the petitioner can always submit his explanation. The petitioner can come to this Court if the final order is adverse to him. The question of interfering at this stage does not arise. It has been consistently held that at the stage of show cause notice, the writ Court would be loath to interfere. It is just and proper that the petitioner offers his explanation before the respondent and after inviting the final order move this Court again if necessary. The time set out in the show cause notice appears to have been substantially over. The petitioner is given two more weeks from today (28.06.2023) to offer his explanation. Leaving open all the defences of the petitioner, this writ petition is disposed of. There shall be no order



W.P(MD)No.15529 of 2023

as to costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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W.P(MD)No.15529 of 2023

G.R.SWAMINATHAN, J.

MGA

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