



W.A(MD)No.1461 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.08.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**

and

THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.A(MD)No.1461 of 2023

and

C.M.P(MD)No.11203 of 2023

Palpandi

... Appellant/11th Respondent

Vs.

1.Udhaya Baskaran M

Executive Committee Member,

Kallar Kalvi Kazhagam,

(Regd.No.138/67),

Pasumpon Muthuramalinga Thevar College,

Usilampatti – 625 531,

Madurai District.

....1st Respondent/Petitioner

2.State of Tamil Nadu,

Rep. by Principal Secretary to Government,

Higher Education Department,

Secretariat,

Fort St. George,

Chennai-600 009.

3.The Director of Collegiate Education,

Education Department,

Directorate of Collegiate Education,

EVK Sampath Building,

9th floor, College Road,

Chennai-600 006.



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4.The Joint Director of Collegiate Education,
Education Department,
Madurai Regional
Directorate of Collegiate Education,
Palam Station Road,
Opposite to Ganapathy Silks,
Sellur, Madurai-625 002.

5.The Special Officer,
Pasumpon Thiru.Muthuramalinga Thevar,
Memorial College, Kamuthi,
Ramanathapuram District.

6.The Principal,
Pasumpon Thiru.Muthuramalinga Thevar Memorial College,
Kamuthi,
Ramanathapuram District.

7.The Principal,
Pasumpon Thiru.Muthuramalinga Thevar College,
Usilampatti-625 532,
Madurai District.

8.Dr.K.Geetha,
Director of Collegiate Education,
(Additional incharge), EVK Sampath Building,
9th floor, College Road,
Chennai-600 006.

9.P.Ponmuthuramalingam,
Joint Director of Collegiate Education,
Madurai Regional Directorate of Collegiate
Education, Palam Station Road,
Opposite to Ganapathy Silks,
Sellur, Madurai-625 002.
Cum Special Officer,
Pasumpon Thiru.Muthuramalinga Thevar Memorial
College,
Kamuthi, Ramanathapuram District.



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10.Dharmar,

Principal (Incharge) Pasumpon Thiru.Muthuramalinga
Thevar Memorial College, Kamuthi,
Ramanathapuram District.

11.Jothiraj,

Principal (Incharge) Pasumpon Thiru.Muthuramalinga
Thevar Memorial College, Usilampatti-625 532.

..... Respondents 2 to 11/Respondents
1 to 10

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order made in W.M.P(MD)No.13845 of 2023 in W.P(MD)No.16572 of 2023.

For Appellant	: Mr.G.Prabhu Rajadurai
For R1	: Mr.Isaac Mohanlal Senior Advocate
For R2 to R8	: Mr.D.Sadiq Raja Additional Government Pleader

JUDGMENT

(Judgment of the Court was delivered by **S.S.SUNDAR, J.**)

This writ appeal is filed as against the interim order passed by the learned Single Judge in the writ petition filed by the first respondent.

2. Challenging the order transferring the appellant from the position of Assistant Professor, Political Science Department, Pasumpon



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Thiru.Muthuramalinga Thevar Memorial College, Kamuthi, Ramanathapuram

District to Pasumpon Thiru.Muthuramalinga Thevar College, Usilampatti, dated 14.06.2023, the first respondent filed the writ petition in W.P(MD)No.16572 of 2023.

3. The learned Single Judge after hearing the parties, except the appellant granted an interim order staying further proceedings pursuant to the impugned order, dated 14.06.2023. Challenging the said interim order, the appellant has filed the present writ appeal.

4. The learned counsel appearing for the appellant submitted that the appellant has joined in service before the interim order was passed. Further submitted that the interim order is without hearing the parties and without considering the serious prejudice that will put to the parties by virtue of the interim order.

5. The learned Senior Counsel appearing for the first respondent states that the interim order may be vacated with a direction to the learned Single Judge to dispose of the main writ petition within the time frame fixed by this Court.



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6. Without going into the merits on the submissions of the learned counsel for the appellant and the first respondent, this Court is inclined to pass the following order:-

“(i) The interim order passed by this Court, dated 01.08.2023 made in W.M.P(MD)No.13845 of 2023 in W.P(MD)No.16572 of 2023 stands vacated and the appellant may continue as Assistant Professor, Political Science Department, Pasumpon Thiru.Muthuramalinga Thevar College, Usilampatti till the final order is passed in the writ petition.

(ii) The learned Single Judge is directed to consider and dispose of the writ petition in W.P(MD)No.16572 of 2023 within a period of four weeks from the date of receipt of a copy of this order.

(iii) The Official respondents are directed to file the counter affidavit in the main writ petition within a period of two weeks from the date of receipt of a copy of this order.”



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7. Accordingly, the writ appeal is disposed of. No costs. Consequently,

connected miscellaneous petition is closed.

[S.S.S.R., J.] [D.B.C., J.]

29.08.2023

Index : Yes / No

Internet : Yes/No

NCC : Yes/No

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