



W.P.(MD)No.20745 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.20745 of 2015

and

M.P.(MD)No.2 of 2015 and W.M.P.(MD)No.1388 of 2016

K.Prema

... Petitioner

versus

1. The Vice Chancellor,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli – 627 012.

2. Registrar of Manonmaniam
Sundaranar University,
Abishekapatti,
Tirunelveli – 627 012.

3. The Inspector of Police,
Pettai Police Station,
Tirunelveli.

(R3 is *suo motu* impleaded vide
order dated 20.11.2023)

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Summons/Notice vide MSU/R/ESTT/T/HISTORY/2015 dated 06.11.2015 issued by the 2nd respondent and quash the same as illegal as the same is contra to law and set aside the new enquiry committee and direct the respondents to take action as per the report dated 14.08.2015 of Statutory Internal Complaints committee.

For Petitioner : No appearance
For R1 and R2 : M/s.Jasima Yasmin
for Ajmal Associates
For R3 : Mr.B.Thanga Aravindh,
Government Advocate

ORDER

This writ petition is filed challenging the summons dated 06.11.2015 issued by the 2nd respondent/the Registrar of Manonmaniam Sundaranar University, Tirunelveli, calling upon the petitioner to appear for the enquiry.



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WEB COPY 2. The petitioner is a victim and when she was studying M.A. (History) at Manonmaniam Sundaranar University, Tirunelveli, during the year 2015, an Assistant Professor has misbehaved with her, for which, she has lodged a complaint before the Internal Complaints Committee. The Committee has also conducted an enquiry and found that the Assistant Professor has committed mischief. Therefore, a recommendation has been made for taking appropriate action by suspending the Assistant Professor. Accordingly, the 1st respondent/the Vice Chancellor, Manonmaniam Sundaranar University, Tirunelveli, has directed the 2nd respondent to suspend the Assistant Professor. Pursuant to the same, the Assistant Professor was suspended from service with effect from 13.08.2015. After three months, once again, the 2nd respondent issued another summons calling upon the petitioner and other witnesses to appear before the Committee. Aggrieved over the same, the present writ petition has been filed.



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3. The petitioner has not prosecuted the writ petition, when this writ petition was taken up for hearing on 06.11.2023 and 20.11.2023. However, considering the issue involved in this writ petition, this Court *suo motu* impleaded the Inspector of Police, Pettai Police Station, Tirunelveli, as a party to this writ petition and ascertain the present condition of the criminal case, which was registered against the Assistant Professor for misbehaving with the student of the University. Today also, there is no representation for the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the criminal case registered against the Assistant Professor has been charge sheeted and now, it is pending for trial, before the Additional Mahila Court, Tirunelveli in C.C.No.1449 of 2022. He further submits that on 07.12.2023, four witnesses, namely, P.W.1 to P.W.4 were examined.



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5. Considering the development that the criminal case registered against the Assistant Professor has been charge sheeted and main witnesses have also been examined during the trial, this writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

12.12.2023

ogy

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Vice Chancellor,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli – 627 012.
2. Registrar of Manonmaniam
Sundaranar University,
Abishekapatti,
Tirunelveli – 627 012.
3. The Inspector of Police,
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B.PUGALENDHI, J.

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