



W.P(MD)No.26187 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.11.2023**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26187 of 2023

and

W.M.P(MD)Nos.22543 & 22544 of 2023

T.Arumuga Maria Devi

... Petitioner

Vs.

The Registrar,
Manonmaniam Sundaranar University,
Abhishekapatti,
Tirunelveli-627 012.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the Impugned Show Cause Notice in MSU/R/Estt. (T)/Show Cause / 2023, dated 15.05.2023 issued by the respondent and quash the same as illegal.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.Mahaboob Athiff



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ORDER

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The present writ petition has been filed challenging a show cause notice issued to the temporary Lecturer of the respondent University calling for explanation why recovery should not be made based upon the audit objections raised by the Finance Committee of the University.

2. It is settled proposition of law that show cause notice cannot be challenged unless the issuing authority does not have any jurisdiction over the same. In the present case, the University has issued the impugned show cause notice on 15.05.2023 annexing a copy of the audit objection report.

3. According to the learned counsel appearing for the petitioner, the Government Letter which is the basis of the show cause notice has already been quashed and he further contends that he has already offered his objections to the audit report.

4. Considering the above said facts, this Court is not inclined to quash the show cause notice. However, the respondent herein is directed



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to consider the explanation offered by the writ petitioner for the audit objection, independent of the letter issued by the Government on 25.09.2013. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

02.11.2023

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

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To

The Registrar,
Manonmaniam Sundaranar University,
Abhishekapatti,
Tirunelveli-627 012.



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R.VIJAYAKUMAR,J.

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Order made in
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Dated:
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