



W.P(MD)No.27696 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27696 of 2023

and

W.M.P(MD)Nos.23809,23810 & 23812 of 2023

Balagandhirani

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by the Secretary,
Higher Education Department,
Fort St.George,
Chennai-600 009.
- 2.The Director of Collegiate Education,
O/o. The Director of Collegiate Education,
Saidapet, Chennai-600 015.
- 3.The Joint Director of Collegiate Education,
O/o. The Joint Director of Collegiate Education,
Madurai Region, Madurai District-625 020.
- 4.The Principal,
Sri Meenakshi Government Arts College for Women,
Madurai-625 002.
- 5.S.Chandra
- 6.J.P.Sharmila
- 7.R.Sharada



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8.K.Muthupandian

... Respondents

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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 pertaining to the Impugned order in Na.Ka.No.3679/AL/2023, dated 09.11.2023 on the file of the Respondent No.4 and the consequential impugned Enquiry Committee letter, dated 16.11.2023 on the file of the Respondent No.5 to 8 and quash the same as illegal.

For Petitioner : Mr.G.Karthik
for M/s.Lajapathi Roy & Associates

For Respondents : Mr.N.GA.Natraj
Government Advocate

ORDER

The present writ petition has been filed by a Bursar of a Government Arts College for Women in Madurai challenging the preliminary enquiry proceedings initiated as against her.

2. As could be seen from the typedset of papers, the Professors of the said college have lodged a complaint to the Director of Collegiate Education making complaint as against the writ petitioner. Consequently, the Director of Collegiate Education through telephonic message had



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directed the Principal of the College to conduct a preliminary enquiry and submit a report to him. Consequently, the Principal of the College had appointed an Enquiry Committee on 09.11.2023.

3. The Enquiry Committee has issued a questionnaire to the writ petitioner, so that they could collect the materials and forward the same to the Director of Collegiate Education. The appointment of the Enquiry Committee and the issuance of the questionnaire are being challenged in the present writ petition.

4. According to the learned counsel appearing for the writ petitioner, the 4th respondent who is the Principal of the College is not a competent authority to initiate any enquiry and only the 1st respondent is the competent to initiate disciplinary proceedings. He further submits that a copy of the complaint said to have been lodged by the college professors on 08.11.2023 has not been furnished to him.

5. Per contra, the learned Government Advocate appearing for the official respondents point out that it is only a preliminary enquiry in order to find out whether regular enquiry is at all necessary as against the



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writ petitioner herein. That apart, the enquiry has been initiated only on the instructions of the Directorate of Collegiate Education.

6. I have carefully considered the submissions made on either side and perused the materials.

7. The allegations in the affidavit and the documents annexed to the typedset of papers clearly indicate that the Professors of the 4th respondent college have lodged a complaint with the 2nd respondent herein as against the writ petitioner on 08.11.2023. Pursuant to which, the 2nd respondent has directed the 4th respondent, namely the College Principal to conduct a preliminary enquiry. Therefore, the preliminary enquiry has been initiated by the 4th respondent only on the directions of the 2nd respondent herein. It is only a preliminary enquiry and therefore, this Court need not go into the jurisdiction of the authorities to initiate such a preliminary enquiry. That apart, the grievance of the petitioner is that he has not been furnished with a copy of the complaint lodged by the college Professors on 08.11.2023.

8. A copy of the complaint, dated 08.11.2023 has been handed



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over to the learned counsel for the petitioner in the Open Court. The petitioner is at liberty to submit her explanation to the questionnaire furnished by the Enquiry Committee. The enquiry shall be completed within a period of four (4) weeks from the date of receipt of copy of this order and the report may be submitted to the 2nd respondent for further proceedings.

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

22.11.2023

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

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To

1.The Secretary,
The State of Tamil Nadu,
Higher Education Department,
Fort St.George,
Chennai-600 009.

2.The Director of Collegiate Education,
O/o. The Director of Collegiate Education,



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Saidapet, Chennai-600 015.

3. The Joint Director of Collegiate Education,
O/o. The Joint Director of Collegiate Education,
Madurai Region, Madurai District-625 020.

4. The Principal,
Sri Meenakshi Government Arts College for Women,
Madurai-625 002.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.27696 of 2023

Dated:
22.11.2023