



W.P.No.1188 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM

**THE HONOURABLE Ms.JUSTICE R.N.MANJULA**

W.P. No.1188 of 2021  
and W.M.P.No.1340 of 2021

S.N.Deepa

... Petitioner

/vs/

Anna University,  
Rep. by its Registrar,  
Anna University,  
Chennai – 600 025.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondents to relieve the petitioner from the post of Associate Professor (Electrical and Electronics Engineering) in the respondent University since the petitioner have been selected / appointed as Associate Professor (Electrical Engineering) in the National Institute of Technology, Arunachal Pradesh and have to report / join there, on or before 22.01.2021.



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For Petitioner ... Mrs.N.Kavitha Rameshwar

For Respondent ... Mr.Avinash Wadhwani

## ORDER

The petitioner has filed this writ petition to direct the respondents to relieve the petitioner from the post of Associate Professor (Electrical and Electronics Engineering) in the respondent University since the petitioner have been selected / appointed as Associate Professor (Electrical Engineering) in the National Institute of Technology, Arunachal Pradesh.

2. In the interim order passed on 20.01.2021 a direction has been given to the respondent to relieve the petitioner in order to enable her to join in the National Institute of Technology, Arunachal Pradesh. The relevant part of the order would read as under:

*“5. It is not in dispute that the petitioner joined the service of Anna University in the year 2008 and the respondent Anna University upon resignation of the petitioner has to pay the monetary benefits, which is at present with the respondent. Therefore, it is directed that the respondent Anna University shall complete all the formalities, including receipt of indemnity bond from her and relieve her from the duty on 21.01.2021 (tomorrow) so as*



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*to enable her to join the National Institute of Technology, Arunachal Pradesh within the stipulated time. It is made clear that, if there are any audit objections or any amount is payable by the petitioner, the same can be adjusted from the terminal benefits payable to her and if any excess amount is to be paid by the petitioner, the same can be recovered from her based on the indemnity bond, that may be given by the petitioner.*

*6. Even though the prayer made in the writ petition and the prayer in the miscellaneous petition are one and the same, the writ petition is kept pending, so that any monetary benefits recoverable by the Anna University from the petitioner can be ordered to be recovered from the petitioner in the writ petition and the petitioner is not permitted to withdraw the petition, after taking up the new assignment and the monetary benefits if any, and the respondent university need not be directed to recourse for recovery in a different forum.”*

3. Subsequent to the said order, the petitioner got relieved and she had joined her new designation on 21.01.2021.

4. Earlier the petitioner had filed a writ petition in W.P.No.5737 of 2020 challenging the report of the Five Member Monitoring Committee, which had submitted a report by stating that some of the appointments were invalid and the appointments have been classified under so many categories. In the common order passed in a batch of writ petitions in W.P.No.7140 of



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2020 and others which is inclusive of the petitioner's writ petition in W.P.No.5737 of 2020, this Court has passed an order to quash the Government Order issued in G.O.Ms.No.91, Higher Education (II) Department dated 14.07.2017, which culminated from the Five Member's Committee report.

5. Since any demand or claim for recovery could have its origin with the Five Member Committee and the resultant G.O.Ms.No.91, dated 14.07.2017 and the same got quashed, in all probabilities, the petitioner may not have any dues to be paid to the respondent. Barring the above claim, if at all the University has got some other claim and the petitioner has got any other liability to pay the same, separate action can be initiated in this regard for recovery.

6. With these observations, this writ petition is disposed. No costs. Consequently, connected miscellaneous petition is closed.

**07.02.2024**

Index: Yes / No  
Speaking order / Non-speaking order



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Neutral Citation : Yes / No  
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To:

The Registrar,  
Anna University,  
Anna University,  
Chennai – 600 025.



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**R.N.MANJULA ,J.**

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