



W.P.No.18077 of 2023 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.18077, 18080, 18969, 18972, 18975, 18977, 18981,
18982, 18985, 18986, 18987, 18989, 18991, 18992, 18993,
18996, 18998, 18999, 19000, 19004, 19009, 19011, 19015,
19016, 19035, 19037, 19038, 19040, 19043, 19045,
19047, 19049, 19053, 19055, 19059 of 2023

and

W.M.P.Nos.17260, 17262, 18212, 18214, 18217, 18219, 18220, 18224,
18227, 18230, 18231, 18232, 18233, 18234, 18235, 18238, 18243,
18246, 18248, 18251, 18254, 18255, 18262, 18264, 18273, 18276,
18277, 18278, 18282, 18286, 18287, 18292, 18295, 18304 of 2023

W.P.No.18077 of 2023:-

K.Madaswamy

...Petitioner

-Vs-

1. The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Higher Education Department,
Fort St. George,
Chennai – 600 009.
2. The Registrar,
Manonmaniam Sundaranar University,
Abisekapatti,
Tirunelveli – 627 012.
3. The Director,
Local Fund Audit,
Kuralagam,
Chennai – 108.



W.P.No.18077 of 2023 etc.

4. The Assistant Director,
Local Fund Audit,
Tirunelveli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, declaring the impugned letter vide No.LR(M.S) 174 dated 25.09.2013, issued by the first respondent as illegal and against the judgment rendered by this Court in W.P.Nos.49, 1287,1518,1575 of 2007 dated 04.04.2012 and consequential impugned show cause notice vide MSU/R/Estt(Admn)/Sys.Prgrammer/Refixation/2023 dated 16.05.2023 issued by the second respondent based on the resolution of the finance committee agenda item No.61.11 dated 27.02.2023 as illegal, ultra vires and colourable exercise on the part of the second respondent.

In all W.Ps.

For Petitioner : Mr.T.Karthick Srinath
For M/s.Vijayan Associates
For Respondents
For R1, R3 & R4 : Dr.T.Seenivasan
Special Government Pleader
For R2 : Mr.Mahaboob Athiff

COMMON ORDER

These writ petitions have been filed for declaration to declare that the show cause notice issued by the second respondent dated 16.05.2022, as illegal, ultra vires and colourable exercise on the part of the second respondent.



W.P.No.18077 of 2023 etc.

2. The learned counsel appearing for the petitioner in all the writ petitions submitted that the impugned show cause notice has been issued to the petitioners in view of the audit objection. Subsequently, the audit objection has been quashed and in pursuant to the same, the impugned show cause notice has been withdrawn by the government and fresh show cause notice has been issued to the petitioners.

3. Recording the said submission, all the writ petitions are closed. Consequently, connected miscellaneous petitions are also closed. There shall be no orders as to costs.

29.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



W.P.No.18077 of 2023 etc.

G.K.ILANTHIRAIYAN. J.

rts

WEB COPY

- To
1. The Principal Secretary to Government,
State of Tamil Nadu,
Higher Education Department,
Fort St. George,
Chennai – 600 009.
 2. The Registrar,
Manonmaniam Sundaranar University,
Abisekapatti,
Tirunelveli – 627 012.
 3. The Director,
Local Fund Audit,
Kuralagam,
Chennai – 108.
 4. The Assistant Director,
Local Fund Audit,
Tirunelveli.

W.P.Nos.18077, 18080, 18969, 18972, 18975, 18977, 18981,
18982, 18985, 18986, 18987, 18989, 18991, 18992, 18993,
18996, 18998, 18999, 19000, 19004, 19009, 19011, 19015,
19016, 19035, 19037, 19038, 19040, 19043, 19045,
19047, 19049, 19053, 19055, 19059 of 2023
and

W.M.P.Nos.17260, 17262, 18212, 18214, 18217, 18219, 18220, 18224,
18227, 18230, 18231, 18232, 18233, 18234, 18235, 18238, 18243,
18246, 18248, 18251, 18254, 18255, 18262, 18264, 18273, 18276,
18277, 18278, 18282, 18286, 18287, 18292, 18295, 18304 of 2023

29.01.2024