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W.A.Nos.2690, 2691, 2692, 2693, 2694, 2619 & 262

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2024

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR
and
THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.Nos.2690, 2691, 2692, 2693, 2694, 2619 & 2620 of 2019
and C.M.P.Nos.17329, 17333, 17334, 17346, 17347, 17348, 17349, 17350,
17351, 16848, 16849, 16851 & 16852 of 2019

N.Thirumoorthy
W.A.No.2690/2019
K.Sathees Kumar
W.A.No.2691/2019
K.Senthil Nathan
G.Vallinayagam
M.Manickam
S.Arivalagan
C.Sivaraman
W.A.No.2620/2019

...Appellant in

...Appellant in

...Appellant in W.A.No.2692/2019
...Appellant in W.A.No.2693/2019
...Appellant in W.A.No.2694/2019
...Appellant in W.A.No.2619/2019
...Appellant in

vs.

- 1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Department of Higher Education,
Fort St. George, Chennai – 600 009.
- 2.The Vice Chancellor,
The Syndicate of Annamalai University,
Rep. by its Chairman,
Annamalai University,
Annamalai Nagar,
Cuddalore District – 608 002.
- 3.The Annamalai University,
Registrar In-charge,
Annamalai University,
Annamalai Nagar,
Cuddalore District – 608 002.



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4. Thiru. Arumugam,
Registrar In-charge,
Annamalai University,
Annamalai Nagar,
Cuddalore District – 608 002.

...Respondents in all appeals

Prayer in W.A.No.2690/2019: Writ Appeal filed under Clause 15 of Letters Patent, against the order in W.P.No.23441 of 2018 dated 05.03.2019 passed by the learned Single Judge disposing of the said writ petition.

Prayer in W.A.No.2691/2019: Writ Appeal filed under Clause 15 of Letters Patent, against the order in W.P.No.23444 of 2018 dated 05.03.2019 passed by the learned Single Judge disposing of the said writ petition.

Prayer in W.A.No.2692/2019: Writ Appeal filed under Clause 15 of Letters Patent, against the order in W.P.No.23445 of 2018 dated 05.03.2019 passed by the learned Single Judge disposing of the said writ petition.

Prayer in W.A.No.2693/2019: Writ Appeal filed under Clause 15 of Letters Patent, against the order in W.P.No.23446 of 2018 dated 05.03.2019 passed by the learned Single Judge disposing of the said writ petition.

Prayer in W.A.No.2694/2019: Writ Appeal filed under Clause 15 of Letters Patent, against the order in W.P.No.23442 of 2018 dated 05.03.2019 passed by

<https://www.mhc.tn.gov.in/judis>



the learned Single Judge disposing of the said writ petition.

Prayer in W.A.No.2619/2019: Writ Appeal filed under Clause 15 of Letters Patent, against the order in W.P.No.23447 of 2018 dated 05.03.2019 passed by the learned Single Judge disposing of the said writ petition.

Prayer in W.A.No.2620/2019: Writ Appeal filed under Clause 15 of Letters Patent, against the order in W.P.No.23443 of 2018 dated 05.03.2019 passed by the learned Single Judge disposing of the said writ petition.

For Appellants in all appeals : Mr.Krishnasamy R.

For Respondents in all appeals : Mr.R.Kumaravel for R1
Additional Government Pleader
Mr.E.C.Ramesh for R2 & R3
Standing Counsel for Annamalai University

COMMON JUDGMENT

(Judgment of the Court was delivered by K.KUMARESH BABU, J.)

These Intra Court Appeals have been filed challenging the order of the learned Single Judge wherein the learned Single Judge had rejected the claim of the petitioners and had directed the third respondent herein to receive the additional grounds/explanations/objections from the respective appellants herein within a period of four weeks and adjudicate upon the same by providing personal hearing to all the appellants with a further direction to the Competent



within a time frame mentioned therein.

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2. When these Intra Court Appeals were taken up for hearing, a Division Bench judgment of this Court in a batch of Writ Appeals in W.A.No.1831 of 2019 dated 30.09.2021 was placed before us. A perusal of the aforesaid judgment would suggest that the prayer in the present Writ Petitions arising out of these Intra Court Appeals and the prayer in the Writ Petition arising to the orders of the Division Bench are identical.

3. The Division Bench after detailed discussion have upheld the orders of the learned Single Judge and had directed the appellants therein to submit their reply/response/objections within a period of two weeks and if the same is not submitted, the respondents University was at liberty to proceed with the same in accordance with law. For better appreciation, the relevant paragraph is extracted hereunder:

“Considering the fact that the issue is pending at the Show Cause Notice stage itself for years, the appellants are directed to submit their reply/response/objection within a period of two weeks, if not submitted earlier and the respondents University, shall proceed with the same in accordance with law, as expeditiously as possible. It goes without saying that the appellants are entitled to raise all the grounds before the respondents.”



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4.We find no reason to defer with the aforesaid orders of the Division Bench and in fine these Writ Appeals also fail and the directions issued by the learned Single Judge are affirmed.

5.In fact, in a batch of Writ Petitions arising out of the common order, we had disposed the Writ Appeal No.2187 of 2019 etc. batch on 02.01.2024, wherein we had issued certain directions. We are also inclined to issue the same directions in these appeals.

6.Considering the fact that these Intra Court Appeals are being disposed of today, there shall be a direction to the appellants herein to submit their reply/response/objections to the show cause notices issued by the third respondent within a period of four weeks from the date of receipt of a copy of this judgment and the third respondent on receipt of such response/reply shall place the same before the appropriate Authority who shall afford an opportunity of hearing to the appellants and pass appropriate orders in accordance with law, within a period of eight weeks thereafter.

<https://www.mhc.tn.gov.in/judis> 7.It is needless to state that if the appellants fail to submit their



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response/objections within the time stipulated above, the respondents are at liberty to pass appropriate orders on merit and in accordance with law.

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8. With the aforesaid observations and directions, the Writ Appeals are disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(R.S.K.,J.) (K.B.,J.)
09.01.2024

Index: yes/no
Speaking order: yes/no
Neutral Citation: yes/no
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To

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- 1.The Secretary to Government,
Government of Tamil Nadu,
Department of Higher Education,
Fort St. George, Chennai – 600 009.
- 2.The Chairman,
Syndicate of Annamalai University,
Annamalai University,
Annamalai Nagar,
Cuddalore District – 608 002.
- 3.The Annamalai University,
Registrar In-charge,
Annamalai University,
Annamalai Nagar,
Cuddalore District – 608 002.



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R.SURESH KUMAR, J.
and
K.KUMARESH BABU, J.

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2694, 2619 & 2620 of 2019**

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