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W.P.(MD) No.16239 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.16239 of 2018

Kumar

... Petitioner

-VS-

1.The Director of Technical Education
Guindy, Chennai-600 028

2.The Principal
Government Uthappanaickanur
Polytechnic College
Usilampatti Taluk
Madurai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent to take necessary departmental action against the second respondent based on the petitioner's representations dated 24.01.2018, 09.02.2018 and 21.06.2018 for creating fraudulent records.



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For Petitioner : Mr.S.A.Ajmalkhan

For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the first respondent to take necessary departmental action against the second respondent, based on the petitioner's representations, dated 24.01.2018, 09.02.2018 and 21.06.2018.

2. The petitioner is the father of a deceased student, who was murdered along with another student outside the campus of the second respondent's Polytechnic College. According to the petitioner, the second respondent is also responsible for the cause of the murder of his son, who was a student in the second respondent's Polytechnic College at the time of the incident. Under those circumstances, the petitioner has given representations on 24.01.2018, 09.02.2018 and 21.06.2018 to the first respondent requesting him to take appropriate departmental action against the second respondent. Since the representations of the petitioner have not been considered, he has filed this writ petition.



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3. A counter affidavit has been filed by the respondents and in one of the paragraphs, the respondents have stated that the representations of the petitioner are being considered and on receipt of the same, the first respondent called for an explanation on 10.05.2018 and has received a detailed report on 30.05.2018.

4. Learned Government Advocate appearing for the respondents would submit that based on the report received by the first respondent, final orders will be passed on the petitioner's representations seeking to take necessary departmental action against the second respondent in respect of the murder of the petitioner's son outside the campus of the second respondent's Polytechnic College.

5. No prejudice will be caused to any of the parties, if the representations of the petitioner are considered on merits and in accordance with law, within a time frame to be fixed by this Court, that too, when the respondents, in their counter affidavit, have admitted that a report has been received by the first respondent with regard to the murder case involving the petitioner's son.



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6. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representations, dated 24.01.2018, 09.02.2018 and 21.06.2018, seeking for initiation of departmental action against the second respondent in respect of the murder of the petitioner's son outside the campus of the second respondent's Polytechnic College, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

20.08.2024

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

krk

To:

- 1.The Director of Technical Education,
Guindy, Chennai-600 028.
- 2.The Principal,
Government Uthappanaickanur
Polytechnic College,
Usilampatti Taluk, Madurai District.



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ABDUL QUDDHOSE, J.

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