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W.P.No.8475 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Orders Reserved on : 17.11.2025

Pronounced on : 21.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.8475 of 2025

and

W.M.P. Nos.9488, 9489, 13223 and 13228 of 2025

Dr. J. Haja Gani

... Petitioner

Versus

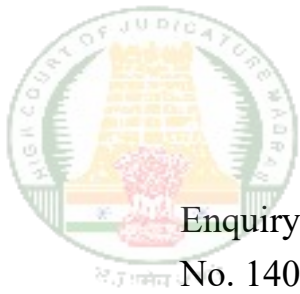
1.Commissioner of Collegiate Education,
Directorate of Collegiate Education,
577, Anna Salai, Saidapet, Chennai – 600 015.

2.The Regional Joint Director of Collegiate Education,
Directorate of Collegiate Education,
577, Anna Salai, Saidapet, Chennai – 600 015.

3.The Quaide Milleth College for Men,
Rep by its Secretary and Correspondent,
Medavakkam, Chennai – 600 100.

4.Mr. C. Rajkumar,

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Enquiry Officer,
No. 140, M.K. Amman Koil Street,
Chennai - 600 004.

... Respondents

AMENDED PRAYER: Writ Petition filed under Section 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the concerned records from the 3rd respondent, quash the proceedings of the 3rd respondent dated 07.02.2025 bearing Rc.No.A/DP/JHG/3199 and the College Council Meeting of the 3rd respondent dated 14.03.2025 in respect of Resolution No.8 & 9 as illegal, arbitrary and contrary to law and consequently direct the Respondent No.3 & 4 not to proceed with the Charge Memo bearing Proceedings Rc.No.A/DP/JHG/2021/2687 dated 05.02.2021 in any manner.
(Prayer Amended as per order of this Court, dated 21.11.2025)

For Petitioner : Mr. Balan Haridas

For Respondents : Mr. M. R. Gokulkrishnan, (for R1 & R2),
Additional Government Pleader.

: Mr. P. Godsonswaminath, (for R3)
for M/s. ISAAC Chambers

ORDER

This writ petition has been filed challenging the proceedings dated



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07.02.2025, whereby another Enquiry Officer was appointed to enquire into the

charges against the petitioner, and also challenging the Resolution Nos.8 and 9 passed by the College Council /the third respondent dated 14.03.2025, whereby the earlier Resolution No.4 dated 10.09.2024, was withdrawn. By the earlier Resolution, the College Council had requested the Secretary and the Correspondent of the College to initiate disciplinary proceedings against the petitioner. The impugned resolutions further condemned the alleged acts of the petitioner and recommended further action for allegedly producing a fabricated document dated 18.10.2024, as if the disciplinary proceedings had been dropped against the petitioner.

2. The brief facts of the case is as follows:

(i) The third respondent is a Government Aided Research and Post Graduate Co-Educational Institution Affiliated to the University of Madras. The petitioner is qualified with M.A. Tamil literature. As there was a vacancy arising on account of retirement, the petitioner was appointed as Assistant Professor in the third respondent/College on 04.03.2003, and his appointment was duly

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ratified by the Education Department. While being so, the Secretary and the

Correspondent of the third respondent developed enmity with the petitioner and served a charge memo dated 05.02.2021 alleging, among other things, that the petitioner held the position of General Manager in a “Foreign Business House”, while in service with the College; that he caused loss by suppression and misrepresentation of his foreign visit; that he awarded marks arbitrarily while evaluating students' answer papers; that he violated the Rule 7 of the Code of Conduct of the College; and that he holds the office of General Secretary of "Tamilnadu Muslim Munnetra Khazhagam" which is also alleged to be a violation of the conduct rules. There are a total of eight charges.

(ii) While charge memo was pending, the petitioner requested permission to engage an Advocate to assist him in the domestic enquiry, but the same was rejected. Therefore, the petitioner approached this Court by filing a Writ Petition No.18382 of 2023, challenging the rejection order passed by the third respondent. By order dated 22.07.2024, this Court quashed the rejection order, permitted the petitioner to engage an Advocate, and directed the third respondent to complete the disciplinary proceedings within three months from



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the date of receipt of a copy of that order.

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(iii) The College Committee convened a meeting and, by a resolution dated 10.09.2024, resolved to revoke the resolution passed in the meeting held on 12.04.2017 and further resolved to request the Secretary and the Correspondent to drop the disciplinary proceedings against the petitioner in the interest of College.

(iv) Pursuant to the said resolution, the third respondent, by communication dated 18.10.2024, accepted the recommendation of the College Council and withdrew the disciplinary proceedings initiated against the petitioner. Consequently, the Enquiry Officer was requested to return all the enquiry papers.

(v) While being so, once again the third respondent passed an order dated 7.02.2025 appointing another Enquiry Officer to conduct enquiry on the very same set of charges, since the erstwhile Enquiry Officer had expressed his inability to continue the enquiry due to professional commitments. While the writ petition was pending, the third respondent College convened a meeting and resolved to withdraw the earlier resolution dated 20.12.2024, which



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recommended to drop the disciplinary proceedings against the petitioner, and further resolved to initiate action against the petitioner for allegedly submitting a fabricated document dated 18.10.2024.

(vi) Consequently, the petitioner filed an amendment petition in W.M.P.No.13220 of 2025, seeking to amend the prayer as challenging the resolution dated 14.03.2025 and also proceedings dated 07.02.2025, which is originally challenged in this writ petition.

3. The third respondent filed a counter affidavit submitting that after issuance of the charge memo to the petitioner, this Court had permitted him to engage a lawyer to assist him in the domestic enquiry. Therefore, another Enquiry Officer was appointed and the the enquiry proceedings commenced on 17.03.2025. It is submitted that the College Council has no authority to pass any resolution to drop the disciplinary proceedings. The said resolution was passed without jurisdiction and in an unauthorized manner. The third respondent never accepted the said resolution, nor did he approve the communication dated 18.10.2024. The said communication was signed only by the Director of the



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College, purporting to represent the third respondent, therefore, it has no legal sanctity or evidentiary value.

4. It is further submitted that the Director was issued a notice on 27.02.2025 to call for explanation for the issuance of unauthorized letter on behalf of the third respondent. Now, the Enquiry Officer is proceeding with the enquiry and it is about to be completed. This Court by order dated 13.03.2025 directed the Enquiry Officer to continue with further enquiry. However, it is submitted that the Enquiry Officer may wait for further orders from this Court before finalizing the enquiry proceedings.

5. I have heard the learned counsel appearing on either side and perused the materials available on record.

6. On perusal of the records, it is evident that the third respondent has never denied the resolution passed by the College Council, and in fact, the same was accepted by the third respondent by its communication dated 18.10.2024.



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But, the third respondent has specifically contended that the Director of College

Council had no authority to issue such a communication on behalf of the third respondent. Therefore, the genuineness of the resolution and the communication dated 18.10.2024 cannot be disputed, since the acceptance of the resolution is admitted by the third respondent. It is only on the basis of minutes passed by the College Council dated 12.04.2017 that the decision to initiate disciplinary proceedings against the petitioner was taken. Pursuant to the said resolution dated 12.04.2017, the petitioner was served with a charge memo on 05.02.2021.

7. Further, the first resolution was passed on 28.01.2016. However, only after a period of five years from the date of resolution, the petitioner was served with a charge memo, that too for an occurrence that took place in the year 2016. Therefore, the very same College Council convened another meeting and resolved to request the third respondent to drop the disciplinary proceedings against the petitioner. By resolution dated 10.09.2024, such recommendation was made and it was duly communicated to the third respondent. On behalf of the third respondent, one of the Directors of the



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respondent claims that the proceedings dated 18.10.2024 was issued without any authority, it was incumbent upon the third respondent to cancel the said communication immediately, which has not been done.

10. Further, the disciplinary proceedings itself was initiated on the basis of a resolution passed by the College Council. Subsequently, the very same College Council resolved to drop the disciplinary proceedings against the petitioner. That apart, on perusal of the charge memo revealed that the petitioner had gone abroad for other purposes as well, and that he was a member in a party. However, there is no evidence to show the said party is a political party or that the petitioner was involved in its day-to-day activities. The remaining charges are flimsy in nature and cannot be sustained.

11. Furthermore, during the pendency of this writ petition, the third respondent insisted the College Council to pass another resolution dated 14.03.2025, withdrawing the earlier resolution dated 20.12.2024. This clearly

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shows that the College Council had, in fact, originally resolved to drop the disciplinary proceedings against the petitioner by resolution dated 10.09.2024.

Therefore, the subsequent resolution was passed only at the instance of the third respondent, and notably, after this Court had permitted the petitioner to engage an Advocate to assist him in the domestic enquiry. It also appears that the entire disciplinary proceedings initiated against the petitioner were influenced by an attempt to remove the petitioner and appoint another person as the Principal of the third respondent College, although the petitioner is the only eligible person to be appointed as Principal.

12. Further, the resolution dated 14.03.2025 does not disclose any reason for withdrawing the earlier resolution dated 10.09.2024, which had recommended dropping the disciplinary proceedings against the petitioner. The impugned resolution has been passed after a lapse of nearly five years, and that too after the interim order passed by this Court in the present writ petition. Such belated action, without any justification, cannot be sustained.



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13. In view of the above, the proceedings dated 07.02.2025 on the file of the third respondent and the resolution dated 14.03.2025 passed by the College Council, insofar as they relate to Resolution Nos. 8 and 9, are liable to be quashed. Accordingly, the said proceedings, and the resolution of the College Council are set aside.

14. With above observations and direction, the writ petition stands allowed. Consequently, connected miscellaneous petitions are also closed.

15. It is made clear that the third and fourth respondents shall not proceed with the disciplinary proceedings against petitioner pursuant to the charge memo dated 05.02.2021, since the resolution of the College Council dated 10.09.2024, recommending dropping of the charges, is hereby upheld.

21.11.2025
(3/3)



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Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

klr

To

- 1.The Commissioner of Collegiate Education,
Directorate of Collegiate Education,
577, Anna Salai, Saidapet, Chennai – 600 015.
- 2.The Regional Joint Director of Collegiate Education,
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- 4.The Public Prosecutor, High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN, J.

klt

Pre-Delivery Order in

W.P.No.8475 of 2025

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