



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

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CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.7965 of 2013

C.Jeevanandam

... Petitioner

Vs.

1. Sardar Vallabhai Patel International
School of Textiles and Management,
Rep. by its Director Dr.S.R.Pujar,
1483, Avanashi Road, Peelamedu,
Coimbatore – 641 004.

2. The Finance Controller/ Registrar,
Sardar Vallabhbhai Patel International,
School of Textiles and Management,
1483, Avanashi Road, Peelamedu,
Coimbatore – 641 004.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the proceedings of the first respondent bearing File No.SVPISTM/Admin/Per. File/CJ/2013/5609 dated 28.02.2013 and to quash the same.

For Petitioner : Mr.K.M.Ramesh

For Respondents : Mr.R.Rajesh Vivekananthan,
Deputy Solicitor General of India



ORDER

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2. A perusal of the impugned order shows that there is no dispute about the entitlement of the petitioner for payment of the amounts that were already paid to the petitioner in terms of the order dated 10.10.2011. However, the Respondent No.1 issued the impugned order only on the ground that the petitioner has challenged the authority of the Respondent No.1/ Director to take disciplinary action and the competence of the Respondent No.1 and also contended that the Board of Governors is the competent authority. The Respondent No.1 is the competent authority or the Board of Governors is the competent authority is definitely a matter to be examined when there was a challenge to the authority of the Respondent No.1 herein in an appropriate manner. But merely because the petitioner has challenged the authority of the Respondent No.1 herein in some other matter, it is not open for the Respondent No.1 to withdraw the benefit that was



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already granted in favour of the petitioner solely on the ground that the petitioner has challenged the authority of the Respondent No.1 herein. The impugned order is totally silent and there is nothing to indicate that the petitioner is not entitled for the amounts that were already paid to him under Officer Order dated 10.10.2011.

3. In the absence of any dispute about the entitlement of the petitioner for the said amounts, the action of the Respondent No.1 in proposing to recover the amounts that were paid to the petitioner in terms of the Officer Order dated 10.10.2011 is highly arbitrary and violative under Articles 14 and 21 of the Constitution of India. In the circumstances, the impugned order bearing No.SVPISTM/Admin/Per.File/CJ/2013/5609 dated 28.02.2013, cannot be sustained and the same is accordingly quashed.

4. Accordingly, the writ petition is allowed. No costs. Connected miscellaneous petitions, if any, shall stand closed.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



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MUMMINENI SUDHEER KUMAR, J.

skr

To

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