



## IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 19-09-2025**

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**THE HONOURABLE DR JUSTICE G. JAYACHANDRAN****WP No. 9746 of 2014**

A.R.Subramanian  
S/o.P.L.Arunachalam

Petitioner(s)

Vs

1. The Secretary  
Ministry of Textiles, Udyog Bhavan,  
New Delhi - 110 001.

2.The Director,  
Sardar Vallabhai Patel,  
International School of Textiles and Management,  
1483, Avanashi Road, Peelamedu,  
Coimbatore 641 018.

Respondent(s)

**PRAYER:** Petition under Article 226 of the Constitution of India, praying for issuance of writ of Certiorari to call for the records of the letter bearing Ref. No. SVPISTM/EC/Dr.ARS/03/369 dated 08.03.2014, on the file of the second respondent and to quash the same as illegal and without jurisdiction.

For Petitioner(s): Mr.A.G.Vedavikas for  
Mrs.V.Srimathi

For Respondent(s): Mr.S.Haja Mohideen Gisthi  
For R2  
No appearance for R1

**ORDER**

The writ petition is filed seeking for a writ of Certiorari to call for the records of the letter bearing Ref.No.SVPISTM/EC/Dr.ARS/03/369, dated 08.03.2014, on the file of the second respondent and to quash the same as illegal and without jurisdiction.

2.Petitioner herein was taken into service by the Sardar Vallabhbhai Patel International School of Textiles and Management at Coimbatore functioning under the Ministry of Textiles, Union of India, for the post of Financial Controller and Registrar for a period of three years. He joined duty and was functioning as Financial Controller. Suddenly, he submitted his resignation stating better prospects and that letter dated 27.11.2013 seeking resignation was taken up for consideration by the respondents. Meanwhile, there was also proposal for constituting a Committee to look into the financial irregularities of the institution. Hence, when the resignation request of the writ petitioner was taken up for consideration, it was intimated to him vide letter dated 06.01.2014, that the tenure of appointment is for three years and only in exceptional cases, resignation can be rendered and for that purpose, an advance notice of three



months is required. That apart, it was also intimated to the writ petitioner that

an Enquiry Committee has been formulated for looking into the financial irregularities and till the Committee takes a final decision, his request for resignation cannot be considered. In such circumstances, the impugned letter dated 08.03.2014 has been issued to the petitioner herein.

3. It is also not out of context to record that the writ petitioner also sensing the difficulties in resigning from the post has communicated to the respondents that he is withdrawing his letter of resignation. This communication is dated 31.01.2014 since he was served with suspension order dated 21.01.2014. As far as the impugned order dated 08.03.2014, it reads as under

*As per your resignation letter dated 27.11.2013, your resignation from the services of the institute is accepted with effect from 08.03.2014 subject to the findings of the enquiry committee which was constituted to enquire about the alleged misappropriation of funds of the Institute by you.*

*Please note that acceptance of your resignation from the service does not mean that you are relieved from the charges leveled against you.*



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*You are instructed to cooperate with the enquiry committee till they complete the enquiry. If the delay is on your part, the Institute is not responsible for any legal action taken against you.*

4. Being aggrieved by the said impugned order, the writ petitioner has filed the present writ petition seeking a writ of Certiorari stating that after withdrawal of his resignation vide letter dated 31.01.2014, the impugned order stating that his resignation is accepted to be given effect from 08.03.2014 itself *per se* reflects the non application of mind by the authorities. That apart, the impugned order is *ex facie* illegal and without jurisdiction. A detailed counter has been filed by the respondents stating that the writ petitioner appointed on a tenure basis for the position of Financial Controller and Registrar, before expiry of the tenure, tendered his resignation and on scrutiny of his request and the track record, it was found that the writ petitioner had involved in a financial irregularity, which requires enquiry. Therefore, initially though his request for resignation was accepted on a condition basis that it would be subject to the outcome of the proposed Committee of enquiry, meanwhile, the Committee was also constituted and the writ petitioner was suspended. To avoid enquiry



initially, the writ petitioner sought for resignation and he had withdrawn the same. In any event, it is contended by the learned counsel for the respondents

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that the writ petition is not maintainable, challenging the impugned order, which has only intimated the writ petitioner that his resignation letter will not mean that he is relieved of the charges levelled against him and he has to co-operate with the enquiry and his request for resignation cannot be considered before completion of enquiry. It is also now brought to notice that the three years tenure was over as early as June 2014, but however due to the pendency of this writ petition, the enquiry proceedings could not be proceeded.

5.This Court on considering the facts of the case finds that the writ petitioner who has been appointed on a tenure basis, instead of participating in the enquiry proceedings which was proposed to be initiated had approached this Court even without any semblance of violation of his right. His right to participate in the proposed enquiry proceedings no way been curtailed by the impugned order. Therefore, this Court finds no reason to interfere with the proposed action of the respondents which is exposed to the impugned order



dated 08.03.2014. Hence, the writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition, if any, is also closed.

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**19-09-2025**

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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8/8

WP No. 9746 of 2014



**DR.G.JAYACHANDRAN J.**

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