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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2025

CORAM

**THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN**

**W.P.No. 31500 of 2024**

**And**

**W.M.P.Nos. 34231, 34229 & 34234 of 2024**

Dr.K.Mohan

... Petitioner

**..Vs..**

1. The Convenor  
Syndicate Sub Committee  
Tamil Nadu Teachers Education University  
Gangaiamman Kovil Street,  
Karappakkam  
Chennai – 600 097.

2. The Registrar (In-charge)  
Gangaiamman Kovil Street,  
Karappakkam  
Chennai – 600 097.

... Respondents

**PRAYER:** Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari calling for the records relating to the impugned order of suspension issued against the petitioner by the second respondent in No.TNTEU/R/2024/01363 dated 05.09.2024 and the



subsequent impugned charge memo issued against the petitioner by the first respondent in TNTEU/R/Estt./2024/01547 dated 18.09.2024, actually served on the petitioner on 10.10.2024 and to quash the same.

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|-----------------|----------------------------------------------------|
| For Petitioner  | :: Mr. G.Sankaran<br>Senior Counsel                |
| For Respondents | :: Mr. D.Ravichander<br>Special Government Pleader |

### **ORDER**

The Writ Petition has been filed in the nature of a Certiorari seeking records relating to an order of suspension issued against the petitioner by the second respondent / the Registrar (In-charge) of Tamil Nadu Teachers Education University at Karappakkam in Chennai dated 05.09.2024 and the subsequent charge memo issued by the first respondent, the Convenor, Syndicate Sub Committee, Tamil Nadu Teachers Education University, Karappakkam at Chennai dated 18.09.2024 and to quash both.

2. Let me not enter into a detailed discussion on the facts necessitating the petitioner to be placed under suspension or being visited



by a charge memo. Suffice to point out that the petitioner had qualified himself with M.Sc., M.Phil and Ph.D and belongs to Backward Class community and had participated in the selection for the appointment to the post of Deputy Registrar in Tamil Nadu Teachers Education University in the year 2016. He was also selected and appointed by order dated 20.10.2016. He has been discharging his duties till this date.

3. As stated, an order of suspension had been issued against him and a charge memo had also been issued.

4. The learned Senior Counsel for the petitioner invited the Court to examine the charge memo and argued that the charges would not withstand the scrutiny of this Court. It is contended by the learned Senior Counsel that the charges would only imply a normal discipline enforced by an Administrative Officer over the students and there was no intention whatsoever in the words said to have been uttered by the petitioner. It had been further contended by the learned Senior Counsel that the words said to have been allegedly uttered by the petitioner were misinterpreted. It had been stated that if this Court were to examine the charges framed, the Court



could also come to a conclusion that proceeding with the enquiry would be an exercise in futility. But however, it would only be appropriate that the petitioner participates in the enquiry and the enquiry is conducted within a specified time period.

5. In view of these circumstances, I would revoke the order of suspension which was passed on 05.09.2024 by the second respondent in No.TNTEU/R/2024/01363 to enable the petitioner to effectively participate in the disciplinary proceedings and to defend himself in an appropriate manner. Let the disciplinary proceedings however proceed.

6. A direction is given that the petitioner must participate in the enquiry in the disciplinary proceedings and should not take unnecessary adjournments or attempt to protract the proceedings for ever and ever. The respondent should also ensure that the documents are available and the witnesses are marshalled during the course of enquiry and time is not sought for either for producing documents or for the attendance of witnesses. The enquiry must commence and to complete within a period of three months from this date. The petitioner must ensure that he gives an explanation



within a period seven days. Within those seven days, the respondents may ensure that the documents they rely on are available and the witnesses are also made available and are present during the course of enquiry. Within five working days from the date of receipt of a copy of this order, the respondents may appoint an enquiry Officer to conduct the enquiry. Since the facts alleged are to be examined during the course of an enquiry, I have made a conscious effort not to examine the facts on merits.

7. The Writ Petition stands disposed of. Consequently, W.M.P.No. 34229 of 2024 stands ordered as prayed for. W.M.P.Nos. 34231 & 34234 of 2024 stand closed. No order as to costs.

20.03.2025

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

1. The Convenor  
Syndicate Sub Committee  
Tamil Nadu Teachers Education University  
Gangaiamman Kovil Street,



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Karappakkam  
Chennai – 600 097.

**C.V.KARTHIKEYAN, J.,**

*vsg*

2. The Registrar (In-charge)  
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