



WEB COPY



W.P.No.45407 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.45407 of 2025
and W.M.P.Nos.50594 & 50596 of 2025

Dr.Arul Lawrence A.S.

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Higher Education,
Fort St. George,
Chennai – 600 009.

2. The Tamil Nadu Open University,
Rep. by its Registrar,
No.577, Anna Salai,
Saidapet, Chennai – 600 015.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned orders issued by the second respondent university vide TNOU/Estt./Termination-Intimation/ASAL/2025 dated 30.09.2025 and TNOU/Estt./Copy of ICC Report/ASAL/2025 dated 25.10.205, quash the same.

For Petitioner : Mr. P.Godsonswaminath
For M/s. Isaac Chambers

For Respondents
For R1 : Mr.K.Surendran
Additional Government Pleader



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ORDER

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This Writ Petition has been filed challenging the show cause notice dated 30.09.2025, thereby proposed to impose capital punishment on the petitioner and also to direct the petitioner to submit his explanation.

2. The petitioner was appointed as an Assistant Professor in the second respondent university. The petitioner also had taken charge of various position such as Assistant Research coordinator, Liaison Office, Assistant Controller of Examinations, Coordinator of Students' Grievance Redressal Cell, Notal Officer of National Academic Depository and Director, Centre for University Informatics. While being so, one V.Preethi was admitted as Ph.D., research scholar under the petitioner's supervision with effect from 27.02.2020. She lodged complaint as against the petitioner for sexual harassment. In this regard, Internal Complaints Committee conducted enquiry and the petitioner was served with charge memo for initiation of disciplinary proceeding under Rule 17b of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, consisting five charges. Initially one enquiry officer was appointed and subsequently another enquiry officer was appointed. Now the enquiry is under progress.

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3. While being so, the petitioner was served with impugned present show cause notice dated 30.09.2025, thereby providing opportunity to the petitioner to show cause why capital punishment of termination from services of Tamil Nadu Open University shall not be imposed against the petitioner based on the findings of the enquiry committee report, as well as Internal Complaints Committee (ICC) and SC/ST enquiry committee under Rule 17(b) of the Tamil Nadu Civil Service (Discipline & Appeals) Rules. Challenging the said show cause notice, the petitioner filed the present Writ Petition.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. On perusal of the records, it is revealed that after receipt of the show cause notice, the petitioner has sent a communication dated 12.10.2025 to the second respondent to furnish a copy of the document in the enquiry conducted by the disciplinary authority. However, the petitioner was provided with Internal Complaints Committee report alone and he was not served with any enquiry report from the domestic enquiry officer. When the second respondent proposed to impose capital punishment of termination from service, the second respondent ought to



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have served the enquiry report from the domestic enquiry office along with show cause notice, so as to enable the petitioner to submit his explanation. No one was examined on the complaint as against the petitioner. The Internal Complaints Committee conducted enquiry and submitted report as well as the SC/ST Enquiry Committee had also conducted enquiry. Insofar as the disciplinary enquiry is concerned, five charges have been framed and the enquiry is under progress. Without even completion of the enquiry under the disciplinary authority, the petitioner was served with show cause notice with proposed punishment. In fact, on the request made by the petitioner, he was served with only the enquiry report of Internal Complaints Committee and he was not served with any domestic enquiry report in the disciplinary enquiry.

6. Considering the above facts and circumstances, the impugned notice cannot be sustained and is liable to be quashed. According the show cause notice dated 30.09.2025 issued by the second respondent is hereby quashed. The second respondent is directed to complete the disciplinary proceedings and issue show cause notice along with enquiry report so that, the petitioner can submit his explanation, within a period of four weeks from the date of receipt of a copy of this

Order.

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7. With the above directions, the Writ Petition stands allowed.

Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts

To

1. The Principal Secretary,
State of Tamil Nadu,
Department of Higher Education,
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Chennai – 600 009.

2. The Registrar,
Tamil Nadu Open University,
No.577, Anna Salai,
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