



W.P.(MD)No.15159 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.15159 of 2023

and

W.M.P.(MD)Nos.12769 of 2023 & 14767 of 2024

Dr.T.Myrtle Grace

: Petitioner

Vs.

1.The Vice Chancellor,

Tamil Nadu Agricultural University (TNAU),
Coimbatore – 3.

2.The Registrar,

Tamil Nadu Agricultural University (TNAU),
Coimbatore – 3.

3.The Director of Research,

Tamil Nadu Agricultural University (TNAU),
Coimbatore – 3.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned show cause notice dated 29.05.2023 in



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No.SO(V&DP)/0761/2021 of the second respondent and quash the same.

For Petitioner : Mr.I.Suthakaran
For Respondents : Mr.A.Thirumurthy
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned show cause notice dated 29.05.2023, issued by the second respondent.

2.The petitioner claims that he is innocent of the charges framed against him in the disciplinary proceedings. The petitioner was the head of the department and she along with others have been issued charge memos in the disciplinary proceedings initiated by the respondent University on the ground that the respondent University had suffered losses due to the alleged misappropriation of funds committed by the petitioner and other delinquents. Earlier, a charge memo was issued against the petitioner and the other delinquents by the respondent University. The petitioner challenged the said charge memo issued to her by filing the Writ Petition and the said Writ



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Petition was dismissed as withdrawn. Subsequent to the issuance of charge memo, the respondents have issued the impugned show cause notice dated 29.05.2023. The petitioner also claims to have submitted an explanation to the charge memo issued to her on 28.10.2022. Since this Court at the time of admission of this Writ Petition had granted interim stay of the operation of the impugned show cause notice, learned Counsel for the petitioner claims that the petitioner has not submitted any reply to the impugned show cause notice to the respondents.

3.The grievance of the petitioner in this Writ Petition is that the respondents have pre-determined the issue by issuing the impugned show cause notice and the apprehension of the petitioner is that without holding any enquiry, the respondents are attempting to punish the petitioner.

4.Learned Standing Counsel appearing for the respondent University on instructions would submit that the respondents will be holding an enquiry pursuant to the issuance of the impugned show cause notice and principles of natural justice will be adhered to in the enquiry proceedings.



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5. Learned Counsel for the petitioner would now submit that since the respondents are going to hold an enquiry and they have given an undertaking that principles of natural justice will be adhered to, the petitioner is willing to participate in the enquiry after submitting a reply to the impugned show cause notice dated 29.05.2023.

6. In view of the submissions made by both the Counsels, this Writ Petition is disposed of, by granting liberty to the petitioner to submit a reply to the impugned show cause notice dated 29.05.2023 to the respondents within a period of two [2] weeks from the date of receipt of a copy of this order. On receipt of the said reply, as undertaken by the respondents before this Court, the respondents shall conduct a proper enquiry in the disciplinary proceedings after affording a fair hearing to the petitioner and by adhering to the principles of natural justice and the enquiry officer shall submit a report as expeditiously as possible. However, it is made clear that in case of an inordinate delay on the part of the enquiry officer to submit a report, liberty is granted to the petitioner to approach this Court once again by filing a separate Writ Petition.



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7.Learned Counsel for the petitioner submits that eventhough the petitioner has been allowed to retire from service, the petitioner is yet to receive her retirement benefits from the respondents. Learned Counsel for the petitioner also submits that even according to the respondents, the loss suffered by them on account of the alleged misconduct said to have been committed by the petitioner is much lesser than the actual retirement benefits payable to the petitioner and the respondents are still withholding the balance amount as well, after adjustment of the alleged losses said to have been suffered by the respondent University.

8.In view of the above, the petitioner is granted liberty to submit a fresh representation for the said purpose and on receipt of the said representation with regard to the payment of retirement benefits payable to the petitioner as well as pension, the respondents shall consider the same on merits and in accordance with law and pass final orders within a period of twelve [12] weeks from the date of receipt of a copy of the representation from the petitioner.



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9.With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index :Yes / No
Internet : Yes / No
NCC : Yes/No
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ABDUL QUDDHOSE., J.

MR

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