



W.P.(MD) No.27196 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
30.10.2025	12.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.27196 of 2025

and

W.M.P.(MD) Nos.21125, 21126 & 21128 of 2025

Dr.C.Jeyachandran

... Petitioner

-vs-

1.The Commissioner,
Directorate of Technical Education,
Guindy, Chennai – 600 025.

2.Nadar Mahajana Sangam
Kamaraj Polytechnic College,
Rep., by its Secretary cum Correspondent,
B.Asokan,
Pazhavillai, Nagercoil,
Kanyakumari District – 629 501.

3. Mr.A.Surendrakumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records relating to the impugned illegal temporary suspension order passed by the third respondent dated 12.09.2025



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and quash the same as illegal, arbitrary and without jurisdiction and pass such further other orders.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1

Mr.N.Dilipkumar Standing counsel for R2

Mr.Xavier Rajini for R3

ORDER

This Writ Petition had been filed to quash the impugned illegal temporary suspension order passed by the third respondent, dated 12.09.2025 as illegal, arbitrary and without jurisdiction.

2. Heard Mr.S.Balamurugan, the learned counsel appearing for the petitioner and Mr.N.Satheesh Kumar, learned Additional Government Pleader appearing for the first respondent, Mr.N.Dilipkumar, learned Standing counsel for the second respondent and Mr.Xavier Rajini, learned counsel appearing for the third respondent.

3. The learned counsel appearing for the petitioner would submit that



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the petitioner had been appointed as a Principal of the second respondent college in the year 2018. In the elections conducted for the year 2022, the third respondent was elected as Secretary cum Correspondent. When that being so, on 26.02.2025, the Executive Committee had resolved to suspend the third respondent along with one other person. The third respondent had moved this Court in W.P.(MD).No.9529 of 2025 to restrain the Executive Committee meetings to be held on 05.04.2025 & 06.04.2025. However, when the matter was taken up on 04.04.2025 recording the request made by the learned counsel for the third respondent, the Writ Petition was dismissed as not pressed. In the Executive Committee meeting which was held on 06.04.2025, it was resolved to permanently remove the third respondent and another and further appointment of President (in-charge) and Secretary (in-charge) were made until fresh elections. The General Body Meeting of the second respondent was conducted on 25.05.2025, wherein it had approved the removals and resolved to conduct elections for the term 2025-2028 on 17.08.2025. Elections were held on 17.08.2025 and results were declared on 18.08.2025 and new set of office bearers were appointed.

4. The third respondent claiming himself to be the Secretary cum



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Correspondent had issued a show cause notice on 10.09.2025 to the petitioner, alleging misconduct and misappropriation without any authority of law. Even though the said show cause notice had been issued without any authority, the petitioner had submitted his explanation on 12.09.2025 and on the same day again without any authority, the third respondent had placed the petitioner under suspension pending constitution of an enquiry Committee. He would submit that the third respondent without any authority whatsoever had issued the order impugned herein and therefore, he seeks indulgence of this Court.

5. The learned counsel appearing for the second respondent would contend that the third respondent had been validly removed from the post of Secretary cum Correspondent of the second respondent institution, which has not been hitherto challenged by him. That apart, he would submit that the elections were held on 17.08.2025 in which the results were declared on 18.08.2025, whereas one Mr.Asokan had been elected as Secretary and respective form VII has also been filed with Registrar of Societies on 04.09.2025. When that being so, he would support the contention of the petitioner by contending that the order impugned in this Writ Petition is without any authority and *non est* in law. He would further submit that the



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election had been conducted by a Retired Judge of this Court as chosen by the General Body as the Election Officer. The Former Judge had headed a five member Election Committee which has conducted the election.

6. He would further submit that the second respondent had approached this Court in W.P.Crl.(MD).No.1526 of 2025, wherein after hearing the parties including the third respondent herein decrying the submissions made by the third respondent with regard to an election claimed to have been conducted in May 2025 to be an after thought, had directed the Police authorities to consider the claim of the second respondent for grant of Police protection. He would submit that the third respondent along with another erstwhile office bearer, who has also been removed, have been attempting to impeach with the functioning of the second respondent college and therefore, he prays this Court to pass appropriate orders.

7. The learned counsel appearing for the third respondent would submit that the election conducted in August 2025 is sought to be validated by claiming that the same had been conducted under the guidance of a retired Judge of this Court to dethrone validly elected office bearers in the election



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conducted in May 2025 wherein the third respondent had been validly elected as the Secretary cum Correspondent of the second respondent institution. He would further submit that the disputes as regards the election are pending consideration by the Registrar of Societies on the objections with regard to the Form-VII submitted by the second respondent. He would submit that the third respondent has been validly elected as a Secretary cum Correspondent and therefore, the second respondent could only be validly represented by him and not by the representative as shown in the cause title.

8. That apart, he would submit that there are Suits that had been initiated by the third respondent challenging the validity of the election, wherein various irregularities and illegalities have been pointed out by the third respondent. He would further submit that under the order impugned herein, the petitioner had been only placed on temporary suspension till 27.09.2025 and hence, the period of suspension is already over and the Writ Petition itself had become infructuous. Hence, he prays this Court to dismiss the Writ Petition.

9. I have considered the rival submissions made by the learned counsel



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appearing on either side and perused the materials placed on record.

10. The issue that is to be decided, is whether the order of suspension granted by the third respondent against the petitioner claiming himself to be the Secretary cum Correspondent of the second respondent institution is valid?

11. It is not in dispute that there are litigations revolving around the elections of the second respondent institution pending consideration before the statutory authority under the Societies Registration Act as well as before the competent Civil Court. In that context, this Court restrains itself from entering upon the issues that had been raised in the Writ Petition with regard to the validity of the election conducted.

12. It has been brought to the notice of this Court that the second respondent had approached this Court in W.P.Crl.(MD).No.1526 of 2025, seeking for a direction to provide adequate police protection for the office



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bearers, the staffs and students of the second respondent institution for its peaceful administration. The learned Judge of this Court after hearing the respective parties which include the second respondent and the third respondent and others by taking into consideration of various proceedings that were initiated and disposed of by this Court and also the Civil Suit filed by the third respondent and also the proceedings before the Registrar of Societies, finding a *prima facie* case that had been made out by the second respondent institution had held that the second respondent institution is entitled to run the Administration without any disturbance, until the election conducted on 17.08.2025 is set aside by the competent Court of law and had issued a direction to the Police to favourably consider the request made by the second respondent.

13. In such view of the matter, this Court is of the view that the order impugned herein is made without any authority whatsoever by the third respondent.

14. For the aforesaid reasons, the Writ Petition stands allowed and the



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impugned order is set aside. However, there shall be no order as to costs.

Consequently, connected Miscellaneous Petitions are closed.

12.12.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To:

- 1.The Commissioner,
Directorate of Technical Education,
Guindy, Chennai – 600 025.



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K.KUMARESH BABU, J.

Pbn

PRE-DELIVERY ORDER

IN

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and

W.M.P.(MD) Nos.21125, 21126 & 21128 of 2025

12.12.2025