



W.P.(MD)No.30872 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD)No.30872 of 2025

and

W.M.P(MD)Nos.24060 & 24061 of 2025

Vishal

.. Petitioner

Vs.

1.The Controller of Examination,
Manonmaniam Sundaranar University,
Tirunelveli.

2.The Principal,
St.Alphonza College of Arts and Science,
Soosaipuram, Karinkal,
Kanyakumar District-629 157.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Declaration, to declare the oral dismissal order issued by the 2nd respondent dated 23.09.2025 dismissing the Petitioner from the college and the consequent letter of the 2nd Respondent dated 23.10.2025 as illegal and ultra vires to the Constitution of India and consequently direct the Respondents to permit the Petitioner to pursue 3rd year B.Com graduation in the college of the 2nd Respondent.



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For Petitioner : Mr.C.K.M.Appaji
For R1 : Ms.H.Jasima Yasmin
for M/s.Ajmal Associates
For R2 : Mr.S.Vashik Ali

ORDER

The petitioner has filed the above writ petition seeking to declare an “oral dismissal order” issued by the 2nd respondent, dated 23.09.2025 dismissing the petitioner from college and the consequential order of the 2nd respondent, dated 23.10.2025 as illegal and ultra vires to the Constitution of India and consequently direct the respondents to permit the petitioner to pursue 3rd year B.Com in the 2nd respondent college.

The petitioner has come to the Court on the following facts :

2. It is his case that he was studying in the 3rd year of B.Com in the 2nd respondent college. The 2nd respondent college is affiliated to the 1st respondent. He would submit that he hails from poor family and he is a first generation student pursuing graduation in the family. The petitioner would submit that his behaviour is impeccable and that he has already written 4 semester exams in B.Com. On 06.10.2025, he has also paid 5th



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semester examination fees for 9 papers through the 2nd respondent college. On 16.10.2025, the 1st respondent University has also published the examination schedule for the B.Com degree course commencing from 03.11.2025 and he is preparing for the 5th semester examinations.

3. On 19.09.2025, the 2nd respondent college had arranged a combined industrial visit programme for the commerce students. While returning back to the college after the visit, the students had all indulged in singing songs and enjoying the trip as if it is a pleasure trip. While so, the petitioner was surprised to receive a letter dated 23.10.2025 from the 2nd respondent to his residential address at Thoothukudi wherein the 2nd respondent had stated that the petitioner had abused fellow travellers in a drunken mood, obstructed the vehicle from proceeding for over 2 hours and had downloaded photographs from the social media denigrating the teaching staffs and the college. That apart, the letter further stated that he had also displayed photographs of the girls in the whatsapp and intimidated them with filthy language. As a consequence, the Disciplinary Committee, Anti Drug Committee and Executive Committee



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of the college had jointly met with the parents of the students and showed the proof to the parents and thereafter, the Committee had deliberated on the matter in detail and recommended the dismissal of the petitioner and two of his fellow students. Accordingly, the communication stated that on 23.09.2025, the petitioner was dismissed from the college and the management advised him to collect the Transfer Certificate. It was also alleged in the said letter that the petitioner was pressurising the management and the teachers of the college through outsiders. Therefore, the letter advised the petitioner to collect the Transfer Certificate from the college within a period of 7 days on or before 31.10.2025, or else the certificate would be forwarded to the 1st respondent University.

4. The petitioner would deny all the allegations contained in the letter in question. He would submit that he was not issued with any show cause notice or an enquiry prior to the dismissal order. He would submit that the 2nd respondent college had intimated the parents about the dismissal without holding an enquiry with them. Therefore, the petitioner has come forward with the writ in question. The petitioner would



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challenge the order of dismissal on the ground that it has been passed without affording him an opportunity to put forward his case and therefore, it was violation of the principles of natural justice. That apart, he was informed about the dismissal order, dated 23.09.2025 only through the impugned letter, dated 23.10.2025. He would submit that summary action of the respondents would completely affect his career and hamper his future prospects. Therefore, he would seek to have the writ petition allowed, particularly since the examination was commencing from 03.11.2025.

5. A counter affidavit has been filed by the 2nd respondent inter alia denying the various averments made in the affidavit filed in support of the writ petition. The 2nd respondent would submit that the writ petition is not maintainable inasmuch as the 2nd respondent is not amenable to the writ jurisdiction. Further the 2nd respondent would submit that the Diocese of Thuckalay had the vision of extending its educational outreach in the field of higher education and with this vision, had set up a Diocesan Feasibility Study Team consisting of priests, religious and lay



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leaders to explore ways to establish an institution of such kind for higher education by Diocese of Kanyakumari District. This institution was aimed to cater to the needs of the poor and downtrodden, irrespective of caste, colour, creed or gender by providing ample opportunities for the youth belonging to the Syro Malabar Catholic Church in the District. After the series of consultations and deliberations, the 2nd respondent college was established and the same is duly affiliated to the 1st respondent. The 2nd respondent college enjoys a great reputation among the public and is a pioneer institution offering UG, PG and Research Programmes under various streams with an aim to retain the good reputation they enjoy the students of this college have to follow a code of conduct.

6. The counter would further state that the 2nd respondent college had arranged Industrial Vision as a part of the curriculum on 19.09.2025 for visiting Nila Sea Foods, Thoothukudi after obtaining the prior permission of the concern to visit the establishment with 50 students. These students were accompanied by 5 faculty members. These students



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were given strict instructions that they should follow the proper dress code for the visit from their Head of the Department and class in-charges and maintain good bahaviour. The students were accompanied by the following faculty members : Dr.M.Subala, Dr.Selvaraj, Dr.R.Paulmoni and Dr.M.Reshma.

7. It transpires that the petitioner along with other students had collected money from the fellow students for the unauthorized purchase of alcohol prior to the trip and also carried explosive crackers. Despite the instructions, in the early morning of 19.09.2025, they cracked crackers in front of the college campus and the petitioner and other fellow students consumed alcohol inside the college campus during the industrial visit and abused the female students and accompanying women faculty members by showing gestures and using filthy words totally disrespecting them. They had consequently delayed the trip by over 2 hours. It also appears that the petitioner and other students who had consumed alcohol had thrown up in the bus resulting in a bad alcoholic odour spreading throughout the bus. As a result of which, many students



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got off at Apta Market, Nagercoil.

8. Thereafter, when the petitioner with two others had gone to the college, they were enquired by the Physical Education Director, who after the enquiry confirmed the consumption of alcohol. In the light of this act of the petitioner and others, the reputation of the college had taken a beating.

9. Thereafter, the faculty members who had accompanied the students had lodged a writtent complaint, dated 22.09.2025 to the Head of the Department of the 2nd respondent college contending that the students had shown disregard by consuming alcohol inside the bus, using obscene language and behaving disrespectfully to the staff and female students. The allegations being of a serious nature, the matter was therefore referred to the Department of Disciplinary Committee for immediate action and report. The Committee independently conducted an elaborate enquiry and submitted an action report on 23.09.2025 by reporting that 5 students, namely Mr.Praveen.S, Mr.Jaison.J, Mr.Vishal.S,



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Mr.Anshalin Vasanth.L and John Bino J.K of 3rd year B.Com students were found guilty of multiple serious violations, including unauthorized collection and misuse of funds, purchase and consumption of alcohol, possession of contraband items such as firecrackers, using abusive language towards faculty members and disobeying them and for the online defamation of the staff after the incident. The petitioner and others had admitted their misconduct and submitted a letter dated 23.09.2025 to this effect. Thereafter, the parents of these students were called for an enquiry to inform them about the misconduct of their children. On 24.09.2025, the mother of Mr.Praveen, Mr.Jaison and Mr.John Bino, Mr.Vishal's sister and her husband and the father of Mr.Anshalin Vasanth had visited the college. The entire details were informed to them and they were also informed about the disciplinary action that was proposed to be initiated against their children. Though initially they had refused to accept the same, thereafter they had conceded to the bad behaviour.

10. It is further stated that during the joint meeting with the parents, the evidence including the photographs, screenshots and witness



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statements were recorded and examined and it is only after considering all these, that the Committee had unanimously recommended the dismissal of the petitioner for gross misconduct and violation of college regulations. Based on the unanimous decision of the College Disciplinary Committee, College Anti-Drug Committee and the College Management Council, dated 24.09.2025, disciplinary action was taken to permanently expell the petitioner and two others, namely Mr. Praveen and Mr.Jaison, students of 3rd year B.Com. The other two students were only guilty of consumption of alcohol and they had expressed their regret and therefore suspended for two weeks. It is the contention of the 2nd respondent that the report of the Committee was not challenged.

11. The 2nd respondent would submit that during the enquiry , the petitioner was given an opportunity to explain his conduct and the enquiry was held in the presence of the parents. Therefore, principles of natural justice had been followed and allegations to the contrary were absolutely false. Further, the acts committed by the petitioner and others were in violation of Rule 55 of the College Handbook and Tamil Nadu



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Educational Rules which mandates immediate dismissal for possession or use of alcohol, drugs or any contraband substance. The continuance of such students in the college would be compromising discipline , student safety as also the moral fabric of the academic community. The petitioner and others have not only indulged in consumption of alcohol, but were also guilty of abusing female students and the accompanying women faculty members by showing gestures and using filthy words which attracts the provisions of Tamil Nadu Prohibition of Harassment of Women Act, 1988 and sexual harassment of Women at Workplace. The parents of the female students and the women faculty had requested that the complaint not be filed as it would be compromising their dignity. Therefore, the complaint was not lodged.

12. In addition to the above acts, the petitioner and his friends and his two classmates are also short of attendance and have not met the threshold of 60% for condonation. It is stated that the petitioner has 26.67% attendance and has arrears of 3 papers. Praveen has attendance of 30% and has arrears of 8 papers, Jaison has attendance of 31.11% and



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has arrears of 3 papers. The petitioner and the others are therefore not eligible to appear for the on going 5th semester for want of attendance and therefore, hall tickets were also not issued to them. The payment of examination fees will not automatically entail them to appear for the examination as they have to meet the attendance requirement. Though the college had directed the parents to collect the Transfer Certificate, they did not do so and after the lapse of the stipulated time, the 2nd respondent college had forwarded the Transfer Certificate to the 1st respondent University from where the petitioner could collect it. The 2nd respondent would therefore pray that the writ petition be dismissed.

13. The only argument that has been put across by the learned counsel appearing for the petitioner is that no show cause notice had been issued to the petitioner and further, he was not be put on notice about his expulsion and it is only on receipt of the notice, dated 23.10.2025 that the petitioner has come to know about his expulsion. In short, the contention of the petitioner is that the principles of natural justice have not only been ignored but has been totally flouted.



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14. Per contra, the learned counsel for the 2nd respondent would submit that the conduct of the petitioner is unpardonable. The proceedings had been initiated on the basis of the report submitted by the faculty members, who had travelled along with the students for the industrial visit. He would submit that in order to enhance the skills of their students, industrial visits have been planned and the 2nd respondent college had contacted Nila Sea Foods seeking their permission to bring their students for an industrial visit. The management of the said company had also granted the permission. The complaint given by the faculty members clearly shows that besides the petitioner, four other students had consumed alcohol inside the bus and inspite of the repeated warning of the faculty members, had failed to pay heed to the same. In fact when questioned, Jaison and Praveen responded rudely and used abusive words towards the teaching staffs. The girl students were terrified by this aggressive behaviour on the part of the above students. These students who had consumed alcohol were directed to alight from the bus which they refused and for over two hours, had caused public disturbance. They had also stated that the petitioner had unauthorizedly



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collected money to buy firecrackers and was later used in violation of the Principal's order. After returning, the petitioner and Jaison and Praveen have posted derogatory remarks on the faculty on social media and used foul language. Therefore, the faculty members had requested for action to be initiated against these students and it is in pursuance of this request that the Committee had been constituted and this Committee after examining the facts, was constrained to arrive at the decision to expel three of the students, which included the petitioner and suspended the other two students who were only charged with consuming alcohol. Therefore, he would pray that this Court should not step into re-examine the findings of the Committee.

15. Heard the learned counsels on either side and perused the records submitted by the petitioner and the 2nd respondent college.

16. The petitioner has himself given it in writing that he had consumed alcohol against the rules and instructions. Therefore, on their own admission, it is clear that the student, whose duty is to study well



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and complete his course has indulged in doing a wrong act. The students who have been expelled have not stopped with this. They have used lewd languages against their fellow girl students and shockingly against the lady faculty members. In a country whose ethos is set in a tradition where the teacher is elevated to the level of a parent, the petitioner who is at a cusp between adolescence and youth, has violated this sacred relationship by using obscene words. The petitioner and his friends have not only used such language, but have proceeded to threaten their fellow girl students as evidenced by the whatsapp chat produced to this Court. This only goes to show that there is neither remorse on the part of these students nor are they apologetic about their action.

17. If this Court were to direct reinstatement of such students, it would be a slap on the face of the women faculty members as well as the girl students who have been at the receiving end of the obscene remarks and gestures made by the petitioner and his friends. It would result in their losing their morale. The records would further show that the petitioner habitually disobeys instructions and is in the habit of flouting



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rules. The records would further show that the parents of these students have been apprised of their behaviour and thereafter, the decision to expel them has been taken. Therefore, I see no reason to interfere with the impugned order.

18. However, taking note of the age of the petitioner and considering they have a long way to travel, this Court directs the 2nd respondent college to issue a Transfer Certificate stating the reason for leaving the college as “Discontinued” and against conduct to state “Needs improvement” instead of poor.

19. With the above directions, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

17.11.2025

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

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