



W.P.No.42617 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.42617 of 2016

V.Shanmugam

...Petitioner

Vs.

1.Annamalai University
Represented by its Registrar
Annamalai University
Annamalai Nagar
Pincode:608 002.

2.The Principal Secretary to Government/Administrator
Annamalai University,
Annamalai Nagar.

3.The Syndicate
Annamalai University
Annamalai Nagar.

...Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 2nd respondent in R.O.C/C2/2/2013 dated 22.11.2013 and consequent resolution of the third respondent in resolution No.51 dated



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18.06.2014 as communicated by the 2nd respondent in Office Memorandum No.C2/2/2014 dated 25.6.2014 quash the same, direct the 2nd respondent to reinstate the petitioner with back wages continuity of service and other benefits.

For Petitioner : Mr.Jayapranav.U
for M/s.J.Suganthi

For Respondents : Mr.S.Nambi Arooran
M/s.Ajmal Associates

ORDER

The petitioner challenges the order dated 22.11.2013 issued by the second respondent and the consequential Resolution No.51 dated 18.06.2014 passed by the third respondent, as communicated by the second respondent. By the said proceedings, the petitioner, who was working as a House Warden, was dismissed from service.

2. The petitioner was served with a charge memorandum dated 14.06.2013 containing six charges. The substance of the allegations was that, while serving in the University, he contested and was elected as President of a Grama Panchayat and had falsified the attendance register, thereby fabricating records to show his presence in the University and cheating the institution. A show cause notice was issued to him as to why disciplinary proceedings should not be initiated.



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3. The petitioner submitted his explanation to the show cause notice, wherein he admitted the charges but requested that they be dropped. The Disciplinary Authority, not being satisfied with the explanation, initiated a formal disciplinary enquiry. The petitioner appeared before the Enquiry Officer and gave a statement. The Enquiry Officer, upon considering the materials on record and the statement of the petitioner, returned a finding that the charges were proved. A second show cause notice was thereafter issued, to which the petitioner submitted a further explanation. The second respondent/University, after considering the enquiry report and the further explanation, passed the impugned order dismissing the petitioner from service.

4. Mr.Jayapranav.U, learned counsel appearing for M/s.J.Suganthi, learned counsel for the petitioner, submitted that the petitioner was elected as President of the Grama Panchayat and discharged the duties of President occasionally without affecting his duties in the University. He further submitted that relevant documents were not furnished to the petitioner and that he was not permitted to cross-examine the representative of the University before the Enquiry Officer. It was also contended that the University Regulations do not stipulate that contesting a Grama Panchayat election amounts to misconduct. He



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further submitted that there was no cogent evidence to establish that the petitioner had fabricated the attendance register. Therefore, the findings of the Enquiry Officer culminating in dismissal from service are not legally sustainable.

5. Per contra, Mr.S.Nambi Arooran, learned counsel for the respondents, submitted that the petitioner, in his explanation to the first show cause notice, categorically admitted the charges and pleaded guilty. During the enquiry, materials were obtained from the concerned District Collector, which clearly established that the petitioner had contested the election and was elected as President of the Grama Panchayat. It was further submitted that the materials before the Enquiry Officer established that the attendance register had been falsified to show that the petitioner was discharging his duties in the University on the dates when meetings were convened and presided over by him as President of the Grama Panchayat. The findings of the Enquiry Officer are based on evidence and records and, in the absence of any perversity or arbitrariness, the impugned order does not warrant interference.

6. The submissions of the learned counsel on either side and the materials placed on record have been duly considered.



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7. Rule 9 of the Annamalai University Service Rules stipulates that every

Teacher or other Officer of the University shall devote his whole time to the service of the University and shall not engage, directly or indirectly, in any paid employment, private institution, or other work which may interfere with the proper discharge of his duties, except in cases of accident or sickness certified by a Medical Officer. It further provides that no Teacher or Officer shall apply for employment elsewhere without the approval of the Vice-Chancellor, and that those accepting employment elsewhere shall not be entitled to leave their posts in the University.

8. Rule 10 provides that no Teacher or other Officer of the University shall undertake any work, whether remunerative or otherwise, other than that of his office, without the prior sanction of the Syndicate.

9. In his explanation to the first show cause notice, the petitioner admitted the charges as mentioned in the charge memorandum. However, he stated that he contested the Panchayat election not for power or monetary gain, but to serve the rural poor, and that he had done so without understanding the legal consequences. At the same time, he denied falsification of the attendance register.



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10. The enquiry report reveals that information was obtained from the concerned District Collector. Upon perusal of the materials furnished, it was found that the petitioner, in his nomination dated 22.09.2011, had described his profession as “Agricultural Coolie,” suppressing the fact of his employment with Annamalai University. The Enquiry Committee further found that the petitioner had conducted Grama Sabha meetings on several dates, namely 11.11.2011, 17.11.2011, 02.12.2011, 10.12.2011, 26.01.2012, 06.02.2012, 14.03.2012, 29.06.2012, 12.07.2012, 19.07.2012, 12.09.2012, 06.10.2012, 02.11.2012, 21.12.2012, and 26.01.2013. Verification of the attendance register revealed that the petitioner had marked his presence in the University on those very dates.

11. Upon appreciation of the evidence, the Enquiry Committee recorded a categorical finding that the petitioner had contested and been elected as President of the Grama Panchayat and had falsified the attendance register.

12. The petitioner had also suppressed the fact of his employment with Annamalai University by declaring his occupation as “Agricultural Coolie.” The Disciplinary Authority, after considering the enquiry report and the further



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explanation, concluded that the act of contesting the election and serving as President of the Grama Panchayat without prior sanction amounts to misconduct under Rules 9 and 10 of the University Service Rules. In the absence of any perversity or arbitrariness in the findings, the punishment of dismissal from service does not warrant interference.

13. The contention of the petitioner that he was not furnished with relevant materials and was not permitted to cross-examine the District Collector is devoid of merit. The petitioner had admitted that he contested the election, was elected as President of the Grama Panchayat, and filed his nomination. The documents obtained from the District Collector were official records. In such circumstances, there was no necessity to examine the District Collector as a witness, particularly when the facts were admitted. Therefore, the plea of denial of opportunity to cross-examine does not vitiate the proceedings.

14. In view of the foregoing discussion, this Court is of the considered opinion that the impugned order passed by the respondent University dismissing the petitioner from service is in conformity with the relevant Rules and the principles of natural justice.



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15. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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Index : Yes/No
Speaking order : Yes/No
dna

To

1.The Registrar
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Annamalai Nagar
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HEMANT CHANDANGOUDAR.J.,

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