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W.P.No.395 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.No.395 of 2017

R.Raghuraman
S/o.T.Ramalingam

... Petitioner

vs.

Annamalai University
Rep. By its Registrar
Annamalai Nagar
Chidambaram – 608 002.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to quash the order in C-4/1550/2004 dated 02.12.2016 on the file of the respondent and further quash the punishment order dated 03.12.2007 in University Order No.1278/2007(c) on the file of the respondent, as illegal, incompetent and wholly without justification and further direct the respondent to restore all service benefits together with interest.

* prayer amended as per order dated 11.01.2024 in

W.M.P.No.2346 of 2023 in W.P.No.395 of 2017

For Petitioner : Ms.V.Srimathi
For Respondent : Mr.S.Nambi Arooran
M/s.Ajmal Associates (Law Firm)

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of the respondent University. Therefore, according to her, the impugned orders are arbitrary, discriminatory, and violative of the principles of natural justice. She further submitted that the criminal case ultimately ended in acquittal of the petitioner and, therefore, the allegation that the petitioner had abetted the suicide of the student is devoid of substance.

4. Per contra, Mr. S. Nambi Arooran, learned counsel of M/s. Ajmal Associates (Law Firm), appearing on behalf of the respondent University, submitted that an enquiry was conducted by a Sub-Committee of the Syndicate, after affording an opportunity of hearing to the petitioner, and that a report was submitted holding that the charges against the petitioner stood proved. In the absence of any perversity or arbitrariness in the findings of the said Committee, the impugned order passed by the respondent University does not warrant interference by this Court.

5. The submissions made by the learned counsel on either side, as well as the materials available on record, have been duly considered.

6. Subsequent to the registration of the FIR, the petitioner was issued a letter calling upon him to participate in the enquiry, which he accepted. A



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Sub-Committee was constituted by the Syndicate to enquire into the allegations levelled against the petitioner. Though it is stated that the Sub-Committee submitted a report holding that the charges stood proved, the respondent University has not placed any material on record to substantiate that the enquiry was conducted after affording a reasonable opportunity of hearing to the petitioner. Further, the said report has not been placed before this Court to establish that the petitioner had, in fact, participated in the enquiry proceedings.

7. Clause 15 of the Standing Orders deals with the imposition of punishment for misconduct or incompetence. It provides that the grounds on which it is proposed to take action shall be reduced to the form of definite charge or charges, which shall be communicated to the person charged, together with a statement of allegations on which each charge is based and any other circumstances proposed to be taken into consideration while passing orders.

8. Clause 15 further stipulates that the delinquent employee shall be required, within a reasonable time, to submit a written statement of defence and to state whether he desires an oral enquiry or wishes to be heard in



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person. An oral enquiry shall be conducted if such enquiry is desired by the person charged or is directed by the Enquiring Officer. At such enquiry, oral evidence shall be recorded in respect of allegations not admitted, and the person charged shall be entitled to cross-examine the witnesses. After completion of the enquiry, the delinquent shall also be entitled, if he so desires, to submit any further written statement in defence.

9. However, the procedure contemplated under Clause 15 of the Standing Orders has not been followed in the present case. The respondent University has not placed any material on record to establish that the order of punishment was imposed after complying with the mandatory procedural requirements contained in Clause 15.

10. Clause 16 of the Standing Orders is a censure clause, which empowers the Vice-Chancellor to censure or admonish any teacher, or to recommend to the Syndicate the withholding of increment of a teacher for sufficient reasons, without following the detailed procedure laid down in Standing Order 15.



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11. Therefore, the provisions contained in Clause 15 cannot be dispensed with in cases where a regular disciplinary enquiry is warranted. In the present case, the punishment imposed against the petitioner, without conducting any enquiry in the manner prescribed, is arbitrary, discriminatory, and violative of Article 311(2) of the Constitution of India. There is no reference in the Sub-Committee's report to the conduct of a proper enquiry after affording adequate opportunity of hearing to the petitioner.

12. Under such circumstances, the impugned order of punishment is not legally sustainable.

13. Accordingly, the Writ Petition stands allowed and the impugned orders dated 03.12.2007 and 02.12.2016 are hereby quashed. There shall be no order as to costs.

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Index : Yes / No
Neutral Citation : Yes / No
Speaking / Non-speaking

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