



W.P(MD) No.5714 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.03.2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD) No.5714 of 2026

and

W.M.P(MD)No.4760 of 2026

J.Shunmugaraja

... Petitioner

Vs.

**Madurai Kamaraj University,
Rep. by its Registrar,
Nagamalai – Pudukottai,
Madurai.**

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order of suspension passed by the respondent in Memo No.MKU/Estt-IV/2023 dated 03.04.2023 against the petitioner and quash the same, consequently direct the respondent to reinstate the petitioner in service as an Assistant Professor.

For Petitioner : Mr.D.Venkatachalam

**For Respondent : Mr.Ragatheesh Kumar,
for M/s.Issac Chamber**



W.P(MD) No.5714 of 2026

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ORDER

The writ petition has been filed seeking writ of Certiorarified Mandamus to call for the records relating to the Memo No.MKU/Estt-IV/2023 dated 03.04.2023 issued by the respondent University placing the petitioner under suspension.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. Through the impugned proceedings, the petitioner was placed under suspension, as the petitioner was arrested in a criminal case. However, subsequently the said suspension was reviewed by the respondent University and an order was passed vide proceedings dated 27.09.2023 and the request of the petitioner to reinstate him into service was negatived on the ground that the charge memo dated 13.09.2023 was already issued and the same is pending for enquiry. Aggrieved by the said order, the petitioner, though, filed W.P.(MD)No.26107 of 2023 on



W.P(MD) No.5714 of 2026

27.09.2023, he has chosen to withdraw said writ petition on 06.11.2023.

While things stood thus, the petitioner once again approached this Court by filing the present writ petition, challenging the original suspension order dated 03.04.2023 on the ground of prolonged suspension.

4. The learned counsel for the respondent filed counter affidavit contending that the issue of prolonged suspension has been considered by the respondent University pursuant to an order passed by this Court in W.P.(MD)No.17420 of 2023 and rejected his request, viz., proceedings in Ref.No.Estt.IV/2/2023 dated 27.09.2023. Without challenging the said order, the petitioner has approached this Court and allowed the said order to become final.

5. It is also further stated in the counter affidavit that the enquiry that was initiated against the petitioner vide charge memo dated 03.09.2023 could not be finalized due to certain allegations that were made against one of the committee members by the complainant and recently, a separate Committee has been constituted through Board



W.P(MD) No.5714 of 2026

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Resolution dated 27.02.2026. The enquiry that was initiated against the petitioner would be concluded as the earliest. It is also further contended that the request of the petitioner for reinstatement also has been considered by the respondent University in its Syndicate meeting that was held on 07.11.2025 and felt that the same is required to be deferred, pending conclusion of the departmental enquiry that was already initiated against the petitioner.

6. In the light of the above situation and taking into consideration that the suspension of the petitioner was reviewed on two occasions by the respondent University and they deem it fit to continue the petitioner's suspension pending conclusion of the enquiry, this Court is not inclined to interfere with the said suspension order at this stage.

7. At the same time, it is also necessary to notice that the prolonged suspension of an employee, especially, a person holding the post of Assistant Professor, for such a prolonged period of nearly 3 years is neither in the interest of the respondent University nor in the interest of



W.P(MD) No.5714 of 2026

the petitioner herein. Without extracting any work, the respondent University would be paying huge amounts towards subsistence allowance to the petitioner and at the same time, the prolonged suspension also would cause a stigma on the petitioner in the eyes of the society. Therefore, in these circumstances, this Court is of the considered view that it would be appropriate to fix a time frame for the respondent University to conclude the disciplinary proceedings that were already initiated against the petitioner pursuant to the charge Memo dated 03.09.2023 and in case if the respondent University fails to adhere to the time frame fixed by this Court, it is appropriate that the respondent University would be directed to reinstate the petitioner into service.

8. In the light of the above, this writ petition is disposed of, directing the respondent University to conclude the disciplinary proceedings initiated against the petitioner pursuant to the charge memo dated 03.09.2023 as expeditiously as possible, at any rate within a period of twelve (12) weeks from the date of receipt of a copy of this order. In case, if the said proceedings are not concluded by the respondent



W.P(MD) No.5714 of 2026

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University within the time stipulated above, the respondent University shall reinstate the petitioner into service, however, subject to the disciplinary proceedings. No costs. Consequently, connected miscellaneous petition is closed.

23.03.2026

Index : Yes / No

Internet : Yes / No

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To

Madurai Kamaraj University,
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Nagamalai – Pudukottai,
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W.P(MD) No.5714 of 2026

MUMMINENI SUDHEER KUMAR, J.

RM

W.P(MD) No.5714 of 2026

23.03.2026