

W.P.No.7800 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

Coram

THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN

W.P.No.7800 of 2025 &

W.M.P.No.8764 of 2025

C.Panneerselvam

... Petitioner

-Versus-

1.The Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Fort St. George, Chennai – 600 009.

2.The Director of Tribal Welfare,
Chepauk, Chennai – 5.

3.The Project Officer,
Tribal Welfare,
Kallakurichi,
Kallakurichi District.

4.The Special Tahsildar (ADW),
Kallakurichi & Post,
Kallakurichi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Certiorari calling for the records pertaining to the proceedings of the second respondent in Na.Ka.No.Pa.Me/I2/8651/2018 dated 05.12.2024 and the consequential orders of the third respondent in Na.Ka.No.A1/223/2018 dated 29.01.2025 and quash the same.



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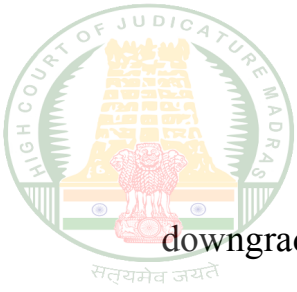
For Petitioner : Mr.S.Kamadevan

*For Respondents : Mr.V.Nanmaran,
Additional Government Pleader*

ORDER

The writ petition has been filed in the nature of a certiorari calling for the records relating to the proceedings of the second respondent in Na.Ka.No.Pa.Me/12/8651/2018 dated 05.12.2024 and the consequential orders of the third respondent in Na.Ka.No.A1/223/2018 dated 29.01.2025 and quash the same.

2. In the affidavit filed in support of this writ petition, it had been contended that the petitioner was initially appointed as Secondary Grade Teacher in the Adi Dravidar & Tribal Welfare Department Schools on 20.01.1988 and later promoted as B.T. Assistant Tamil and then as Headmaster, Middle School. While the petitioner was working as Headmaster in Government Tribal Residential (GTR) Middle School, Pacheri, Sankarapuram Taluk, a student studying 5th standard had left the hostel on 14.06.2015 along with his friends and unfortunately died by drowning in a nearby stream (Odai). A charge memo had been issued to the petitioner herein and an enquiry officer had been appointed and the charges had been held to be proved. A punishment



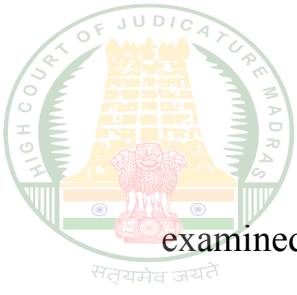
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downgrading the petitioner from the post of Headmaster, Middle School to the post of B.T. Assistant Tamil teacher was imposed. But that was imposed not for a specific period of time but “permanently”. That is one ground which has caused the petitioner to file the writ petition.

3. The learned counsel for the petitioner states that however on 07.01.2025, the petitioner had filed an appeal against the said order. The learned counsel raised an apprehension that the order downgrading the petitioner would be implemented even before the disposal of the appeal.

4. Mr.V.Nanmaran, learned Additional Government Pleader takes notice for the respondents.

5. A direction is issued to the appellate authority to endeavour to dispose of the appeal within a period of four months from the date of receipt of a copy of this order. While disposing the appeal, the appellate authority may examine the nature of punishment imposed namely downgrading the petitioner from the post of Headmaster, Middle School to the post of B.T. Assistant Tamil teacher “**Permanently**”. This aspect of permanent downgrading may also be re-



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examined by the appellate authority in the light of the rules and regulations governing the service condition of the petitioner. It would only be appropriate that the respondents await the orders of the appellate authority before putting into effect the order of punishment and the appellate authority is directed to strictly adhere to the timeline fixed by this court for the disposal of the appeal.

6. The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

06.03.2025

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Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No



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C.V.KARTHIKEYAN, J.

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