

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.28218 of 2015

P.Kannika

.. Petitioner

vs

1.The State of Tamil Nadu
rep. By its Secretary to Government
School Education Department
Fort St. George, Chennai 600 009

2.Director of Elementary Education
Directorate of Elementary Education
D.P.I. Compound, College Road
Chennai 600 006.

3.The District Elementary Educational
Officer & Thanjavur
Thanjavur District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to pass orders on the Revision Petition forwarded by the petitioner dated 27.8.2011, regarding the setting aside of the order of punishment of termination imposed by the third respondent dated 21.6.2010, and the order passed in the appeal by the second respondent dated --.06.2011.

For Petitioner : Mr.V.Ravikumar

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner was appointed as a Secondary Grade Teacher on 6.1.1990, and it is her case that her husband was employed outside the country and she and her husband has suffered illness and in order to attend her husband, she had applied for permission to go abroad on 28.12.2001, and since no communication with regard to her request, was received from the concerned authority, she, on her own volition, went abroad on 4.4.2002, to attend her husband and returned to the country only during the year 2009.

3.The petitioner would further state that she was also permitted to join duty on 17.2.2010, and was visited with a Disciplinary Proceeding in the form of charge memo dated 8.4.2010. The grievance expressed by the petitioner, is that without complying

with the principles of natural justice, she was terminated from service on 21.6.2010, and she also preferred a Departmental Appeal to the second respondent, who vide order dated --.06.2011, has confirmed the order of punishment, and challenging the same, she has filed a Revision Petition before the first respondent on 27.8.2011, and since no orders have been passed for nearly four years, she came forward to file this writ petition.

4.The learned Counsel appearing for the petitioner, would submit that the third respondent has also offered his comments on 13.10.2011, and hence, there cannot be any impediment on the part of the first respondent to dispose of the Revision Petition in accordance with law, within a stipulated time frame.

5.The Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader, who accepted notice on behalf of the respondents, also.

6.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without going into the merits of the same, directs the first respondent to dispose of the Revision Petition filed by the petitioner, in accordance with law, within a period of three months from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

nsv

To:

- 1.The Secretary to Government
School Education Department
Fort St. George, Chennai 600 009
- 2.Director of Elementary Education
Directorate of Elementary Education
D.P.I. Compound, College Road
Chennai 600 006.
- 3.The District Elementary Educational
Officer & Thanjavur
Thanjavur District

1 cc to Government Pleader.Sr.No.48998
1 cc to Mr. V.Ravikumar, Advocate Sr.No.48611

nsv
lrs(co)
pmk.25.9.2015

W.P.No.28218 of 2015