

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.29574 of 2010
and MP.No.01 of 2015

L.Dominic Xavier

...Petitioner

Vs.

1. Director of School Education - cum -
Appellate Authority (Private Schools)
Directorate of School Education,
Government of Puducherry
Puducherry - 605 005

2. The School Managing Committee
Amalorpavam Higher Secondary School
represented by the Principal
Lourdes Campus,
Thamarai Nagar, Vanarapet
Puducherry - 605 001

3. Disciplinary Authority
Amalorpavam Higher Secondary School
Lourdes Campus,
Thamarai Nagar, Vanarapet
Puducherry - 605 001

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorarified mandamus, calling for the records connected with the order dated 19.05.2010 passed by the 3rd respondent in the proceedings No.32/AHSS/2010-2011 and quash the same and consequently direct the 3rd respondent to reinstate the petitioner and pay back wages as arrears of salary with all attendant service benefits with interest.

For Petitioner : Mr.M.A.Abdul Wahab

For R1 : Mr.A.Tamilvanan
Government Advocate (Puducherry)

For R2 and R3 : Mr. T.P.Manoharan

O R D E R

The third respondent passed an order dated 19.5.2010 dismissing the petitioner from service on account of the alleged misconduct. The petitioner filed Statutory Appeal before the first respondent invoking the provisions of the Pondicherry School

Education Rules 1996. The first respondent entertained the said Appeal filed on 26.5.2010 and issued notice to the respondent Nos. 2 and 3. It is the case of the petitioner that even arguments were heard by the first respondent, but, however, further action was not taken up to dispose of the Statutory Appeal.

2. The first respondent is directed to consider and dispose of the Statutory Appeal preferred by the petitioner challenging the order passed by the third respondent on merits and as per law. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

3. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

1. Director of School Education - cum -
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Directorate of School Education,
Government of Puducherry
Puducherry - 605 005

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1 cc to Mr.T.P. Manoharan, Advocate, sr. 6592

1 cc to Sr.Government Pleader cum Puducherry Sr. 6814

Writ Petition No.29574 of 2010

SV (CO)
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