



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.15865 of 2015
and M.P. (MD) No. 1 of 2015

P.Ruby Hena Devi

... Petitioner

Vs.

1.The Director of Elementary Education,
College Road,
Nungambakka, Chennai - 6.2.The District Elementary Educational Officer,
Tirunelveli,
Tirunelveli District.3.The Additional/Assistant Elementary Educational Officer,
Kadayam Rage,
Tirunelveli District.4.The Secretary,
Rosleyn Primary School,
A.P.Nadarur,
Kadayam Range,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned suspension order dated 21.08.2015 on the file of the respondent No.4 and quash the same as illegal and consequently to direct the respondent Nos.3 and 4 to revoke the order of suspension and permit the petitioner to join duty.

For Petitioner	...	Mr.S.Louis for Mr.T.Lajapathy Roy
For Respondents	...	Mr.Aayiram K.Selvakumar Government Advocate

ORDER

This Writ Petition has been filed seeking issuance of writ of Certiorarified Mandamus calling for the records pertaining to the impugned suspension order dated 21.08.2015 on the file of the respondent No.4 and quash the same as illegal and consequently to direct the respondent Nos.3 and 4 to revoke the order of suspension and permit the petitioner to join duty.

2. By consent, this Writ Petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.



4. The learned counsel for the petitioner assailing the impugned suspension order submitted that the petitioner got employment as Assistant Teacher at Roselyn Primary School, Kadayam Taluk on 26.07.1985 and after allowing the petitioner to work for more than 29 years all of a sudden the respondent passed the present suspension order on certain false allegations that she has produced bogus certificate for securing employment as Assistant Teacher.

5. Adding further, the learned counsel for the petitioner would submit that it is not known when the respondents are going to issue charge memo and thereafter they have to complete the enquiry.

6. The learned Government Advocate appearing for the respondents would submit that now only the order of suspension has been passed and immediately thereafter the petitioner will be issued with charge memo and by following the principles of natural justice proper enquiry will be conducted and thereafter action will be taken, if the petitioner fails to prove her innocence.

7. Recording the said statement, the respondents are directed to issue charge memo within a reasonable time and thereafter, on receipt of explanation if the disciplinary authority is not satisfied with the same, they can proceed further and complete the entire disciplinary proceedings within 8 months from the date of receipt of copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

ses

To

1.The Director of Elementary Education,
College Road,Nungambakka, Chennai - 6.

2.The District Elementary Educational Officer,
Tirunelveli,Tirunelveli District.

3.The Additional/Assistant Elementary Educational Officer,
Kadayam Rage,Tirunelveli District.

4.The Secretary,Rosleyn Primary School,
A.P.Nadarur,Kadayam Range,Tirunelveli District.

+one cc to Mr.T.Lajapathi Roy, Advocate in SR.NO.51611

+one cc to The Special Government Pleader, SR.No. 51319

W.P. (MD) No.15865 of 2015
and M.P. (MD) No. 1 of 2015
02.09.2015