

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36280 of 2016

And

W.M.P.No.31191 of 2016

C.Muthulakshmi

... Petitioner

Vs.

- 1 The Director of School Education,
Government of Tamil Nadu,
DPI Complex, Chennai.
- 2 The Joint Director of School
Education (Personnel)
DPI Complex, Chennai.
- 3 The District Educational Officer,
Vellore District,
Vellore.
- 4 The Chief Education Officer,
Vellore District,
Vellore.
- 5 The Head Master,
Government Higher Secondary School,
Mampakkam,
Vellore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the entire records in pursuant to

the proceedings issued by the 4th Respondent vide Na.Ka.No.4358/ A-3/ 2016 dated 29.09.2016 and quash the same.

For Petitioner : Mr.T.P.Prabakaran
For Respondents : Mr.V.Anandhamoorthy
Additional Government Pleader (Edn.)

O R D E R

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

2.The present writ petition has been filed seeking a Certiorari calling for the entire records in pursuant to the proceedings issued by the 4th Respondent vide Na.Ka.No.4358/ A-3/ 2016 dated 29.09.2016 and quash the same.

3.It is the case of the petitioner that she was appointed as Trained Graduate Teacher (Tamil) at Government Higher Secondary School, Mampakkam, Vellore vide proceedings of the second respondent dated 19.12.2011 and she joined in the said post and is continuing in the said post. The petitioner has passed SSLC during March, 2001, HSCE during March, 2003, B.Lit (Tamil) during May, 2009, M.A. during May, 2011 and B.Ed., during May, 2010 and all her certificates were verified at the time of certificate verification by the concerned officials working in the first respondent's office and she has also passed Teachers Recruitment Board qualifying examination.

4.It is the further case of the petitioner that, a proposal was sent for regularization of the petitioner's services and her services were regularized by the second respondent vide proceedings dated 29.04.2013 and in the said proceedings, the second respondent observed that before issuing orders for regularization of services, the genuinity of the certificates produced by the concerned Teachers shall be verified and after that the Chief Educational Officers were directed to inform the Head Masters of the Schools concerned regarding actions to be taken consequent upon the verification of the said certificates. The Controller of Examinations, Tamil Nadu Teachers Education University had issued the petitioner a Genuinity Certificate dated 12.01.2015 and the Controller of Examinations has also communicated the said fact to the fifth respondent vide letter dated 12.02.2015. But, to the shock of the petitioner, the fourth respondent vide proceedings dated 29.09.2016, stated that she was not issued with any appointment order for the post of Trained Graduate Teacher (Tamil) and she has created forgery documents and cheated the department and joined in the post and also directed the petitioner to give explanation within a period of two days. Aggrieved over the same, the petitioner has come forward with this writ petition.

5. Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader (Edn.) who takes notice for the respondents.

6. The learned Additional Government Pleader (Edn.) would submit that the impugned order is only a show cause notice and the petitioner, without giving any explanation, has come forward with this petition.

7. Considering the submissions made on either side and on perusal of the materials placed before this Court, since the impugned order is only a show cause notice, this Court is of the opinion that the petitioner is bound to give reply for the same and hence, this Court is not inclined to entertain this writ petition. Hence, this writ petition at this stage, is liable to be dismissed and the same is dismissed. However, the petitioner is directed to submit her reply within a period of fifteen days (15 days) from the date of receipt of a copy of this order and on receipt of the reply from the petitioner, the respondents are directed to proceed further in accordance with law, as early as possible.

8.The writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

18.10.2016

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Index: Yes/ No

Internet: Yes/ No

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R.SUBBIAH,J.

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