



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD) .No.10738 of 2016

P.Ruby Hena Devi

... Petitioner

Vs

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

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

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

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

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the second respondent to pass orders on the appeal dated 25.04.2016, within the time stipulated by this Court.

For petitioner : Mr.T.Lajapathi Roy

For R.1 to 3 : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

ORDER

P.Ruby Hena Devi, while serving as a Secondary Grade Teacher at Rosleyn Primary School, A.P.Nadarur, Kadayam Range, Tirunelveli District, was terminated from service, by an order of the second respondent, dated 21.04.2016, after conducting departmental enquiry. As against the order of termination, an appeal has been filed under Section 22 of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1973 and Rule 17 of the Tamil Nadu Recognized Private Schools (Regulation) Rules, 1974, on the ground that prior permission is required from the



competent authority, before terminating the petitioner from service. Since the said appeal is pending, the petitioner is before this Court.

2. Since the livelihood of the petitioner was taken away by the respondents, the learned counsel for the petitioner pleaded that the petitioner has filed an appeal on 25.04.2016 and he prayed for the early disposal of the appeal.

3. Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader would submit that the appeal is a very recent one and therefore, he should not have come to this Court.

4. Be that as it may, though this Court is not able to see any inaction on the part of the respondents, since the livelihood of the petitioner has been taken away by the respondents, the second respondent is directed to dispose of the appeal of the petitioner, dated 25.04.2016, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

ssm

To

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

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

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

+1CC to Mr.T.Lajapathi Roy, Advocate Sr.No.31543

+1CC to Spl.Government Pleader Sr.No.31703

GJM/ARK/PV/28.6.16-2p-6c

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