

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.11.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.28893 of 2017 and
WMP.No.31109 of 2017

V.Paraman

...Petitioner

Versus

1. The State of Tamil Nadu
rep. by the Secretary to Government,
School Education Department,
Fort St. George, Chennai-9.
2. The Director of School Education,
DPI Campus, Chennai-6.
3. The Joint Director of Higher Secondary Education,
Chennai-5.
4. The Chief Educational Officer,
Chief Educational Office,
Villupuram District,
Villupuram.
5. The District Educational Officer,
District Educational Office,
Villupuram.
6. The Headmaster,
Boys' Government Higher Secondary School,
Ulundurpettai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Order Na.Ka.No.6577/A1/2017 passed by the 4th respondent herein dated 31.07.2017 and quash the same and direct the respondents 1 to 4 and 6 to issue the order of re-employment as extension of service to the petitioner, namely, V.Paraman, P.G. Assistant (English) in the 6th respondent's school from 1.8.2017 to 31.05.2018 and other consequential relief of monetary benefits and other service benefits.

For Petitioner : Mr.K.Srinivasan

For Respondents : Mr.R.A.S.Senthilvel,
Additional Government Pleader

O R D E R

Challenging the order of the 4th respondent dated 31.07.2017, refusing the benefit of re-employment to the petitioner, the present Writ Petition came to be filed.

2. Heard the learned Counsel for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader who takes notice on behalf of the respondents.

3. Though several grounds have been raised in the affidavit filed in support of the Writ Petition, a perusal of the impugned order discloses that the petitioner while serving as P.G. Assistant in English in Andar Mullippallam Government High School, Cuddalore, absented himself unauthorisedly for a period of more than 3 years from 10.02.2010 till 23.01.2013 and for the said unauthorised absence, he was imposed with a penalty of stoppage of increment for one year without cumulative effect after the completion of the Departmental Enquiry initiated under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. Therefore, the impugned order refusing the benefit of re-employment to the petitioner on the ground that the petitioner suffered punishment for long absence and also failed to maintain good regard cannot be denied.

4. Under such circumstances, the Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

//True copy//

सत्यमेव जयते Sub Assistant Registrar

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To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George, Chennai-9.
2. The Director of School Education,
DPI Campus, Chennai-6.
3. The Joint Director of Higher Secondary Education,
Chennai-5.
4. The Chief Educational Officer,
Chief Educational Office,
Villupuram District,
Villupuram.

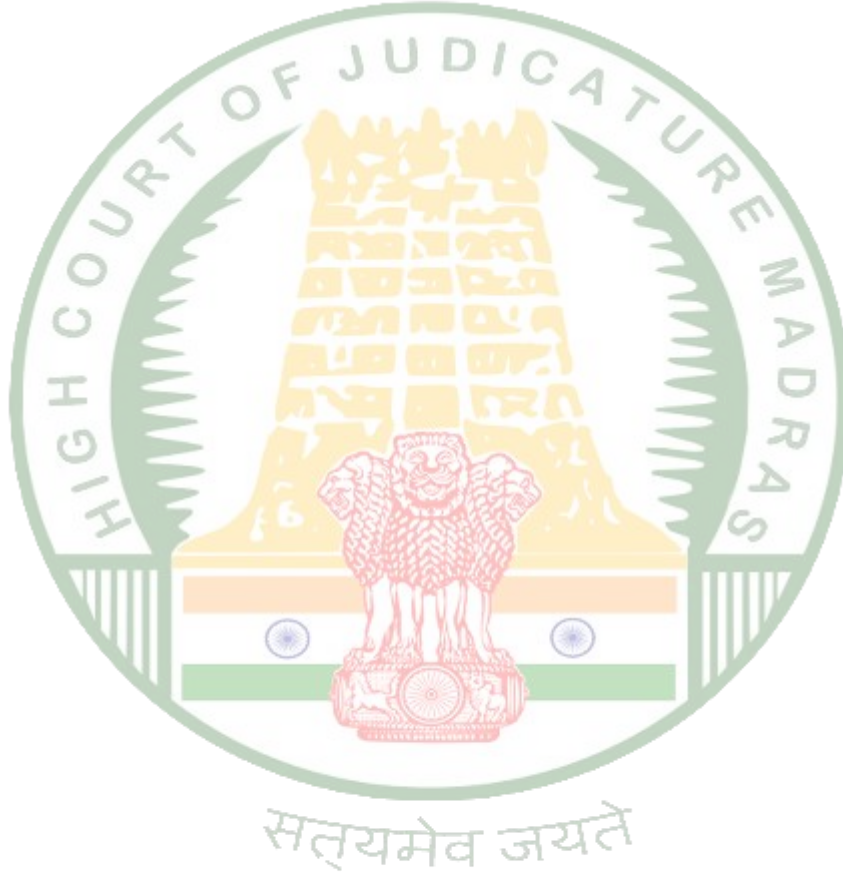
5. The District Educational Officer,
District Educational Office,
Villupuram.

+1cc to Mr.K.Srivinasan, Advocate SR.No.80265

+1cc to Government Pleader SR.No.80517

W.P.No.28893 of 2017

GN(29/11/2017)



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