

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19014 of 2017

&

W.M.P.No.20537 of 2017

Mrs.Sweety Jeya Mary,
Wife of Princibel,
11/38, Veerama Munivar Street,
J.J.Nagar East, Mogappair East,
Chennai - 37.

.. Petitioner

Vs.

1. The Director,
Directorate of School Education
D.P.I.Campus, College Road,
Chennai - 6.
2. The Joint Director
Directorate of School Education,
D.P.I.Campus, College Road,
Chennai - 6.
3. The District Educational Officer,
Chennai North, Chennai.
4. The Secretary / Correspondent,
Gnanodhaya Girls High School,
No.165, Melpatti Ponnappan Street,
Vyasarpadi, Chennai - 39.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Certiorari to call for the records with regard to the impugned order of suspension dated 03.07.2017 on the file of the fourth respondent and quash the same.

For Petitioner : Mr.M.A.R.Pragesh

For Respondents : Mr.M.Perumal for R1 to R3
Government Advocate.

O R D E R

The impugned order of suspension dated 03.07.2017 issued by the fourth respondent, is under challenge in this writ petition.

2. On perusal of the impugned order of suspension, it is seen that the writ petitioner had indulged in issuing certain derogatory allegations affecting the reputation of the school management and certain instances are also narrated in the impugned order of suspension. Thus, the management has decided to conduct an enquiry into those allegations.

3. The learned counsel for the writ petitioner submitted that the suspension order was issued without conducting any preliminary enquiry.

4. This Court is of the view that no such preliminary enquiry is required to be conducted at the time of issuing an order of suspension. Suspension is not a punishment and on contemplation of charges, an employee may be placed under the suspension. Thus, this court is of the firm opinion that on contemplation or initiation of disciplinary proceedings an employee may be placed under suspension in order to conduct free and fair enquiry. Accordingly, I find no infirmity in the order impugned. This being a factum of this case, at this point of time, no further adjudication is required to be undertaken in this regard. It is for the disciplinary authority, to frame charges and proceed with the disciplinary proceedings and conclude it without any further delay.

5. In this view of the matter, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

dn

To

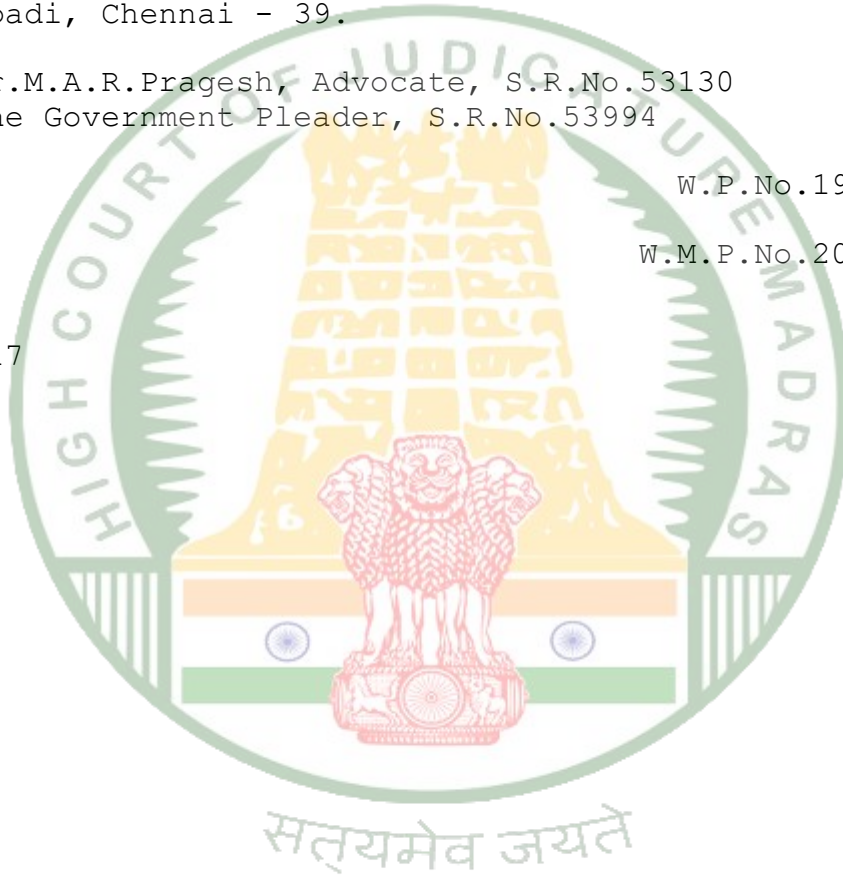
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+1cc to Mr.M.A.R.Pragesh, Advocate, S.R.No.53130
+1cc to the Government Pleader, S.R.No.53994

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AR(CS IV)
CS/18/08/17



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