



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.(MD).No17071 of 2017

and

W.M.P.(MD)No.13656 of 2017

G.Selvaraj

... Petitioner

Vs.

1. The Joint Director (Vocational) of School Education,
College Road,
Chennai-06.

2. The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.

3. The Head Master,
SSN Government Higher Secondary School,
Komadikottai-628 653,
Tuticorin District.

4. The Principal Accountant General (G&SSA),
'LEKHA PARIKSHA BHAVAN'
No.361, Anna Salai,
Teynampet,
Chennai-600 018.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorari, to call for the records pertaining to the impugned order in Na.Ka.No.104/17, dated 21.08.2017 on the file of the respondent No.3 and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy

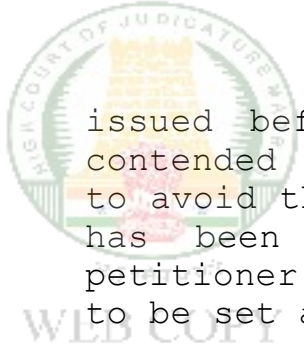
For Respondents 1 to 3 : Mr.D.Muruganatham

Additional Government Pleader

For Respondent No.4 :Mr.P.Gunasekaran

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.



issued before passing the order of recovery. Secondly, it is contended that when the petitioner has got reasonable explanation to avoid the recovery, all of a sudden, the said order of recovery has been passed. Therefore, the learned counsel for the petitioner pleaded that the impugned order of recovery is liable to be set aside.

3.Mr.D.Muruganantham, learned Additional Government Pleader, taking notice for the respondents 1 to 3 submitted that the impugned order may be treated as a show cause notice by the petitioner and time may be given to the petitioner to submit his explanations. On receipt of the explanations from the petitioner, the respondents shall consider the case of the petitioner.

4.A perusal of the impugned order dated 21.08.2017, shows that no notice has been issued to the petitioner. Therefore, the petitioner is directed to treat the impugned order of recovery proceedings as a notice and the petitioner is given four weeks time from the date of receipt of a copy of this order to submit his explanations. On receipt of the said explanations from the petitioner, the respondents are directed to pass appropriate orders within a period of another four weeks.

5.The writ petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Joint Director (Vocational) of School Education,
College Road,
Chennai-06.

2. The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.

3. The Head Master,
SSN Government Higher Secondary School,
Komadikottai-628 653,
Tuticorin District.

+ 1 CC TO MR.T.Lajapathi Roy, ADVOCATE IN SR No.78132

+ 1 CC TO MR.P.Gunasekaran, ADVOCATE IN SR No.77789

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.78291

MK/KK/SAR-3/25.10.2017/3P/7C