



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.31 of 2017

K.Senthivel Murugan

... Petitioner

vs.

1)The Joint Director of School Education,
(Higher Secondary Education),
College Road, Chennai-6.

2)The Secretary,
Nadar Higher Secondary School,
Zamin Kollankondan-626 142,
Virudhunagar District.

... Respondents

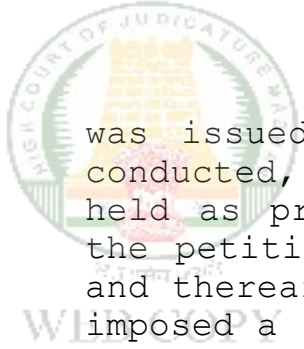
Prayer:Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the 1st respondent herein to dispose of the petitioner's appeal petition dated 11.06.2009 on merits and in accordance with law within the period stipulated by this Hon'ble court.

For Petitioner : Mr.T.Pon Ramkumar
For R1 : Mr.M.Rajarajan
Government Advocate

O R D E R

The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the 1st respondent herein to dispose of the petitioner's appeal petition dated 11.06.2009 on merits and in accordance with law within the period to be fixed by this court.

2.The petitioner was appointed as Post Graduate Assistant in the 2nd respondent school. Though the petitioner is eligible to be appointed as Headmaster of the school, the 2nd respondent appointed one Pownraj as Headmaster of the 2nd respondent school. Hence, the petitioner sought particulars under the RTI Act seeking information regarding the said promotion. Since the 2nd respondent had not furnished any particulars, on 26.12.2008, the petitioner preferred appeal before the 1st respondent. By letter dated 06.01.2009, the 1st respondent directed the 2nd respondent to furnish the particulars. While so, on 28.01.2009, the petitioner was placed under suspension, on the allegation that the petitioner scolded the 2nd respondent and the Clerk Mr.Ponnurasu. Charge memo



was issued on 05.03.2009 framing three charges and enquiry was conducted, wherein, the charges levelled against the petitioner held as proved. Pursuant to the report of the enquiry officer, the petitioner submitted his further explanation dated 27.04.2009 and thereafter, by proceedings dated 14.05.2009, the 2nd respondent imposed a fine of Rs.500/- and also ordered that suspension period shall be treated as leave on loss of pay. Aggrieved by the same, the petitioner filed appeal on 11.06.2009 before the 1st respondent and so far, the same has not been disposed of. Hence, this writ petition.

3. Having regard to the limited relief sought for, the 1st respondent is directed to dispose of the appeal dated 11.06.2009 preferred by the petitioner in accordance with law, if not already disposed of, within a period of two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(P&A)

/TRUE COPY/

Sub Assistant Registrar

To

The Joint Director of School Education,
(Higher Secondary Education),
College Road, Chennai-6.

+1 cc to MR.T.PON RAMKUMAR, ADVOCATE, SR NO: 311.
+1 cc to MR.Special Government Pleader, SR NO: 485

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sva/ss2/ksm/20.01.2017/2p/4c

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