



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No. 2810 of 2018

Muthu

.. Petitioner

Vs.

1. The District Elementary Educational Officer,
Trichy, Trichy District.

2. The Assistant Elementary Educational Officer,
Marungapuri,
Trichy District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for records Pertaining to the impugned order of suspension passed by the first respondent in R.C.No:1474/A5/2017, dated 06.04.2017, quash the same and consequently direct the respondents to reinstate the petitioner into service with all back wages and continuity of service.

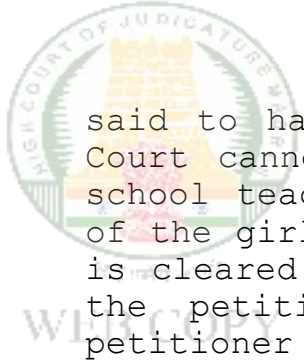
For petitioner : Mr. K.Gokul
For respondents : Mr. D.Saravanan
Government Advocate

O R D E R

The petitioner is employed as B.T. Assistant (Maths) in Panchayat Middle School, Marungapuri Union, Trichy District. The petitioner was suspended from service vide order dated 06.04.2017. The said order of suspension was questioned. The petitioner wants to quash the same with back wages and continuity of service.

2. A look at the materials enclosed in the typed set of papers would reveal that following the allegations of sexual misconduct, the petitioner was suspended from service. The suspension is pending enquiry.

3. In fact, in the impugned order of suspension it has been stated that the reason for suspension cannot be furnished in the larger public interest. The petitioner is a School teacher. He is



said to have misbehaved with a girl student. At this stage this Court cannot pronounce anything on the merits of the matter. A school teacher, who is facing the acquisition of sexual harassment of the girl student cannot be permitted to be reinstated, unless he is cleared all the charges framed against him. Even according to the petitioner, an enquiry has already been conducted. The petitioner has to necessarily await the out come of the disciplinary action initiated against him. The question of quashing the suspension order does not arise. There is no merit in this writ petition.

4. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Elementary Educational Officer,
Trichy, Trichy District.
2. The Assistant Elementary Educational Officer,
Marungapuri,
Trichy District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 50944

KMI

TE/SV-MMS/SAR-1 : 03/05/2018 : 2P/4C

ORDER MADE IN
W.P. (MD) No. 2810 of 2018
21.02.2018