



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.762 of 2018

and

W.M.P. (MD) No.821 of 2018

A.Arputha Kani

... Petitioner

Vs.

1. The District Chief Educational Officer,
Tirunelveli District.
2. The District Educational Officer,
Tirunelveli District.
3. The Assistant Elementary Educational Officer,
Melaneelidanallur (Range)
Tirunelveli District.
4. The Secretary,
Hindu Middle School,
Chockkanachialpuram,
Devarkulam,
Melaneelidanallur (Range),
Tirunelveli District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to call for the records relating to the impugned suspension order dated 12.12.2017 passed by the 4th respondent and quash the same and consequently direct the 4th respondent to reinstate the service of the petitioner.

For Petitioner : M/s.N.Madhava Govindan
For Respondents : Mr.J.Gunaseelan Muthiah, AGP
for RR1 to 3
No Appearance for R4

ORDER

The petitioner is working as a teacher in the 4th respondent school. On account of dispute with a neighbour, she got implicated in a criminal case and she was also arrested. On account of her detention under judicial custody beyond 48 hours,



the management suspended the petitioner.

2.The order of suspension cannot be faulted. The impugned order of suspension is sustained. However, considering the fact that more than 50 days have lapsed and that the cause of action which led to her suspension has nothing to do with the discharge of her teaching duty, the fourth respondent is directed to revoke the order of suspension and reinstate her forthwith in service.

3.The writ petition is partly allowed as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Chief Educational Officer,
Tirunelveli District.
2. The District Educational Officer,
Tirunelveli District.
3. The Assistant Elementary Educational Officer,
Melaneelidanallur (Range)
Tirunelveli District.

+ 1 cc TO Mr.N.Madhava Govindan , Advocate in SR No. 47588

Arul

AE/SV MMS/SAR4/12.02.2018/2P/5C

W.P(MD) No.762 of 2018
and
W.M.P. (MD) No.821 of 2018
09.02.2018