



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Twenty Fourth day of July Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR

WMP(MD) No.14425 of 2018

IN

WP(MD) No.16192 of 2018

C.ANTONY ARUL JOTHI

... PETITIONER/PETITIONER

Vs

1 THE BLOCK EDUCATIONAL OFFICER,
NANGUNERI, TIRUNELVELI DISTRICT.

2 THE MANAGER,
R.C.SCHOOLS, DIOCESE OF THOOTHUKUDI,
THOOTHUKUDI.

3 THE CORRESPONDENT,
ST.JOSEPHS R.C.PRIMARY SCHOOL,
KEELAKODANGULAM, TIRUNELVELI DISTRICT.

4 THE SUPERINTENDENT OF RC SCHOOLS,
THOOTHUKUDI.

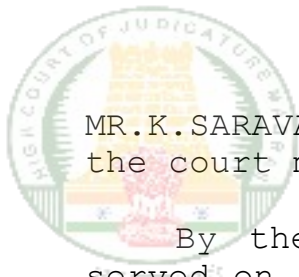
5 FR.A.S.KIRUBAKARAN,
VICAR GENERAL, THOOTHUKUDI DIOCESE,
THOOTHUKUDI DISTRICT

6 THE THOOTHUKUDI DIOCESAN ASSOCIATION,
(REG.NO.S1 / 37-38 / 14/04/1937)
REP.BY ITS PRESIDENT, BISHOPS HOUSE,
CATHEDRAL POST,
THOOTHUKUDI DISTRICT.

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pass an order interim stay of operation of the impugned charge memo Ref: No.2018 / 120 dated 04/06/2018 of the 5th respondent pending disposal of the writ petition.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.J.ASHOK, Advocate for the petitioner and of



MR.K.SARAVANAN, Government Advocate on behalf of the st Respondent, the court made the following order:-

By the impugned order dated 04.06.2018 charge memo has been served on the petitioner. As against the impugned charge memo, the present writ petition has been filed.

2.It is alleged by the learned counsel for the petitioner that the 5th respondent viz., Vicar General, Thoothukudi Diocese, had issued the impugned charge memo, whereas, the petitioner is working in the third respondent School, which is managed by a School Committee and represented by a Correspondent, who is arrayed as the third respondent herein, who alone is competent to frame charge against the petitioner and in this regard, the learned counsel for the petitioner would submit that the fifth respondent has no jurisdiction to issue the impugned charge memo.

3.Since the issue with regard to the jurisdiction has been raised on the said charge memo, prima facie, this Court is inclined to interfere with the impugned charge memo. Accordingly, there shall be an order of interim stay.

sd/-
24/07/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE BLOCK EDUCATIONAL OFFICER
NANGUNERI, TIRUNELVELI DT.

+1. C.C. to Mr.J.ASHOK Advocate SR.No.138471

ORDER
IN
WMP(MD) No.14425 of 2018
IN
WP(MD) No.16192 of 2018
Date :24/07/2018

PK/RR/SAR-4/01.08.2018 : 2P/3C