



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

WEB COPY

W.P. (MD) No.21906 of 2017

and

W.M.P (MD).No. 18223 of 2017

M.A.Raja

.. Petitioner

Vs.

1.The Additional/Assistant
Elementary Educational Officer,
Karur,
Karur District.

2.The Secretary & Correspondent,
Devi Government Aided Primary School,
Kolandagoundanur,
Karur - 639 004.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for records relating to the impugned order passed by the first respondent in his proceedings Na.Ka.No.208/A1/2016, dated 07.11.2016 and the consequential impugned order passed by the second respondent in his proceedings Na.Ka.No.1/A1/17, dated 20.11.2017 and quash the same as illegal arbitrary and in violation of principles of natural justice.

For petitioner

: Mr.B.Saravanan

For R-1

: Mr.Gunaseelan Muthiah

Additional Government Pleader

For R-2

: No appearance

O R D E R

The writ petitioner is working as a Headmaster in the second respondent School. Following the direction received from the Government, the School Management issued a notice to the writ petitioner for stopping down grading of his pay as well as recovery. The writ petitioner received the said notice and asked for further time to offer his explanation. The notice was issued on



10.11.2017 and the request by the writ petitioner for seeking further time for submitting his explanation was made on 15.11.2017. Construing the representation dated 15.11.2017 as an explanation offered by the writ petitioner, the impugned order dated 20.11.2017, came to be passed.

2. The learned counsel for the writ petitioner submits that adequate time was not afforded to him.

3. I find force in the said submission. The impugned order dated 20.11.2017 is therefore quashed. The writ petitioner is given time till 20.02.2018, to offer his explanation in response to the notice dated 10.11.2017, issued by the second respondent.

4. This Writ petition is allowed as prayed for. No costs. Consequently, W.M.P (MD).No. 18223 of 2017 is closed.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To:

The Additional/Assistant
Elementary Educational Officer,
Karur,
Karur District.

+One cc to Mr.B.Saravanan, Advocate, SR.No.43171

+One cc to The Special Government Pleader, SR.No.43083

kmi

RL/4C/2P/SV/MMS/SAR4/16/2/2018

ORDER MADE IN
W.P. (MD) No.21906 of 2017
and
W.M.P (MD).No. 18223 of 2017



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