

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20432 of 2018

ORDER:

This writ petition is filed to declare the action of respondents in not registering the FIR and investigating into the matter in respect of petitioner's complaint dated 15-05-2018 as illegal and arbitrary.

Learned counsel for the petitioner-institution submits that though one I.Thiru Arul Pavai is the headmistress of the petitioner institution-Sherman Memorial Girls High School, she is not allowed to function.

Learned Assistant Government Pleader for Home produced written instructions stating that the complaint of the Head Mistress of petitioner-institution was enquired into and came to known that the Special Officer And Deputy Educational Officer, Chittoor vide Lr.Rc.No.167/DYEO-CTR/2015, dated 20-04-2016 suspended her from service until conclusion of disciplinary proceedings, as she paved way to her husband to outrage modesty of a girl by irregularly engaging her to maid duties against Child Labour Act, 1986 and Rights of Children to Free and Compulsory Education Act, 2009 in Cr.No.81 of 2015 under Section 376(2) (i) IPC and Sections 4 and 10 of POCSO Act on the file of Chittoor I Town Police Station. Further a special officer is also appointed to enquire into the issue and suspension orders are in force and the Headmistress of the petitioner-institution has no authority to issue any certificates. The head-mistress of the petitioner-institution was

informed of the same by registered post on 20-06-2018. Learned Assistant Government Pleader also enclosed a copy of notice issued to the petitioner on 20-06-2018.

The proceedings dated 20-04-2016 issued by Special Officer and Deputy Educational Officer are also filed to show that the petitioner was suspended. Learned counsel for the petitioner-institution submits that the husband of the headmistress of the petitioner-institution was granted bail and filed quash petition also and the authorities are not competent to issue order of suspension as it is a minority institution.

It is to be seen that already complaint of the petitioner-institution was enquired into and Headmistress of the petitioner-institution was informed about the result of the same stating that she has to approach higher authorities, since she was suspended pending enquiry.

In view of the same, no further directions can be granted. However, it is open for the head mistress of the petitioner to avail alternative remedies available to her. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

04-07-2018
Nvl



