



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :20.11.2019
CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No. 16014 of 2019
and WMP.Nos. 15780 & 22647 of 2019

P.David Jayakumar

..Petitioners

Vs

1. Chief Education Officer,
Vellore District,
Vellore-632009.

2.District Education Officer,
Arakonam District,
Arakonam.

3.The Head Master,
Government Girls Higher Secondary School,
Arakonam.

4.University Grants Commission
Equalization Committee,
Bahadur Shah Zafar Marg,
New Delh - 110002.

.. Respondents

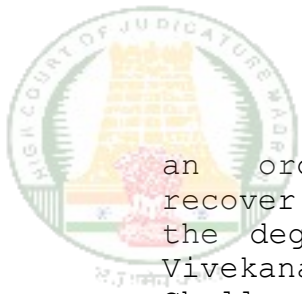
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order dated 03.05.2019 made in Rc.No.2270/E1/2019 on the file of the Chief Education Officer Vellore District Vellore and quash the same.

For Petitioner : M/s A.V. Arun
For Respondents : Mrs. P. Kavitha, GA

O R D E R

Writ Petition is filed for issuance of a Certiorarified Mandamus to call for the records relating to the order dated 03.05.2019 made in Rc.No.2270/E1/2019 on the file of the Chief Education Officer Vellore District Vellore and quash the same.

2. The case of the petitioner is that the petitioner with all eligibility criteria admitted in B.P.Ed Course in Ramakrishna Mission, Vivekananda University and came out successfully. While that being so, the 1st respondent had passed



an order in Rc.No.2270/E1/2019 dated 03.05.2019 directing to recover all increments given to the petitioner in recognition of the degree obtained by him in B.PEd from Ramakrishna Mission Vivekananda University, while applying for Selection Grade. Challenging the said order of the 1st respondent, the present writ petition is filed.

3. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

4. The learned counsel for the petitioner would submit that the short issue involved in this writ petition is that, without affording any opportunity by way of show cause notice to the petitioner, the impugned order has been passed by the respondent, which is against the rules and liable to be set aside.

5. The learned Government Advocate appearing for the respondents has conceded the request made by the learned counsel for the petitioner.

6. Considering the facts and circumstances of the case, this Court is of the view that it would be appropriate to direct the respondents to afford the opportunity to the petitioner in accordance with law. Accordingly, the 1st respondent is directed to issue show cause notice to the petitioner within a period of two weeks from the date of receipt of a copy of this order and the petitioner shall submit his explanation within a period of two weeks from the date of receipt of the show cause notice. Thereafter, the 1st respondent shall consider the representation of the petitioner and pass appropriate orders on merits and in accordance with law, within a period of four weeks.

7. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CJ Conf)

// True Copy//

Sub Assistant Registrar

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To

1. Chief Education Officer,
Vellore District,
Vellore-632009.

2. District Education Officer,
Arakonam District,
Arakonam.

3. The Head Master,
Government Girls Higher Secondary School,
Arakonam.

4. University Grants Commission
Equalization Committee,
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New Delh - 110002.

+1cc to Mr.A.V.Arun, Advocate, SR.No.96803.

+1cc to Mr.P.Mahaadevan, Advocate, SR.No.97708.

+1cc to Government Pleader, SR.No.97584.

W.P.No.16014 of 2019
and WMP.Nos. 15780 & 22647 of 2019

NRL (CO)
CSR(18/12/2019)