

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27636 of 2019
and
W.M.P.No.27158 of 2019

C.Mary Lydia

... Petitioner

Vs.

1.Director of School Education
DPI Compound
Nungambakkam, Chennai-34

2.Chief Educational Officer
DPI Compound
Nungambakkam, Chennai-34

3.The Correspondent
C.S.I. St.Mathias' Anglo-Indian
Higher Secondary School
Vepery, Chennai 600 007

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of suspension dated 17.10.2018 on the file of the 3rd respondent and quash the same and consequently direct the respondents to permit the petitioner to continue her job as Librarian in 3rd respondent school.

For Petitioner : Mr.S.Arokiamaniraj
For Respondents : Mr.C.Munusamy, Spl. G.P.
for R1 & 2

O R D E R

Mr.C.Munusamy, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The learned Counsel appearing for the petitioner would submit that the petitioner is working as a sweeper in the 3rd

respondent school. On 11.10.2018, the petitioner due to ill health, could not attend the school and the same was informed to the Head Master of the 3rd respondent school. The 3rd respondent has not approved the leave and issued the order of suspension on 17.10.2018 calling for the explanation. Challenging the said suspension order, the present writ petition has been preferred.

3.The learned counsel for the petitioner would further submit that pursuant to the suspension order dated 17.10.2018, the petitioner has given explanation to the Head Master on 30.01.2019 by marking copy to the Correspondent of the 3rd respondent school. The learned counsel would further submit that it would suffice if a direction is issued to the 3rd respondent to pass orders on the explanation dated 30.01.2019 within a reasonable time fixed by this Court.

4.In view of the limited request made by the petitioner, this court without going into the merits of the case, is inclined to direct the 3rd respondent to consider the explanation dated 30.01.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

5.With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

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To

1.Director of School Education

DPI Compound

Nungambakkam, Chennai-34

2.Chief Educational Officer

DPI Compound

Nungambakkam, Chennai-34

+1 CC to Mr.S.Arokiamaniraj, Advocate sr 80129

+1 CC to Govt. Pleader sr 81581.

W.P.No.27636 of 2019

and

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VGII(CO)

SP(23/10/2019)