

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S. VAIDYANATHAN

W.P.No.30612 of 2017

Mary Amudha

..Petitioner

[cause title amended vide order
dated 17.07.2019 made in WMP.No.6549/2019
in W.P.No.30612 of 2017]

Vs

1.State Head Officer
Provincial Superior
Carmelite Sisters of St.Teresa
Tamil Nadu Province
No.4/412, NGGO Colony
Salamedu, Kandamanadi Post
Villupuram-605 401

2.The Correspondent/President
Society of Carmelite Sisters of St.Teresa
Nalla Ayan Convent, Nalla Ayan Middle School
Nihung Post, Kotagiri-643 217

3.District Elementary Education Officer
Nilgiris, Kotagiri-643

4.Assistant Elementary Education Officer
Nilgiris, Kotagiri-643 217

5.Additional Assistant Elementary Education Officer
Nilgiris, Kotagiri-643 217

..Respondents

Prayer:- This Writ Petition is filed, under Article 226 of Constitution of India, to issue a writ of Certiorari calling for the records pertaining to the proceedings of the 1st respondent herein who passed temporary suspension dated 04.11.2017 and to quash the same and pass further orders.

For Petitioner : Mr.R.Jayaprathap

For Respondents : Mr.P.Paulselvam for R1 and R2
Ms.P.Kavitha, Government Advocate
for R3.

ORDER

Today, when the matter is taken up for hearing, learned counsel for the respondents 1 and 2 produced a copy of the final order dated 31.05.2018 passed against the Petitioner which is based on the enquiry proceedings.

2. It is represented by the learned counsel for the Petitioner that the order of dismissal has been served only today.

3. During the pendency of the writ petition, enquiry has been conducted, and the petitioner is dismissed from service by the Proceedings of the first respondent dated 31.05.2018. In the present writ petition, the petitioner has challenged the order of suspension dated 04.11.2017. Since final orders have been passed and suspension order got merged with the order of dismissal, it is open to the petitioner to challenge the dismissal order and depending upon the outcome, if the dismissal order is challenged, the question of grant of monetary benefits including the period of suspension would arise.

4. In view of the subsequent events indicated above, the Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

nvsri

To

1.District Elementary Education Officer
Nilgiris, Kotagiri-643

2.Assistant Elementary Education Officer
Nilgiris, Kotagiri-643 217

3.Additional Assistant Elementary Education Officer
Nilgiris, Kotagiri-643 217.

+1cc to Mr.K.Gandhi Kumar Advocate, S.R.No.64394
+1cc to Mr.P.Paulselvam Advocate, S.R.No.63926
+1cc to the Government Pleader, S.R.No.64684

KS (CO)
CB(23/09/2019)

W.P.No.30612 of 2017



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