

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.35229 of 2019
and W.M.P No.36035 of 2019

K.Periyasamy

Petitioner

vs.

1. The Chief Educational Officer,
Salem District, Salem.

2. The District Educational Officer,
Edapadi Education District,
Salem District.

3. The Block Educational Officer,
Kolathur Block,
Salem District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of suspension issued by the 2nd respondent in R.C.No.412/A2/2018 dated 02.12.2019 and to quash the same and consequently direct the respondents to reinstate the petitioner into service with all consequential and other attendant benefits.

For Petitioner : Mr.G.Sankaran

For Respondents: Mrs.V.Annalakshmi
Government Advocate

ORDER

This writ petition has been filed challenging the suspension order passed by the 2nd respondent dated 02.12.2019 and for a consequential direction to reinstate the petitioner into service.

2.The case of the petitioner is that he was appointed as Secondary Grade Teacher and thereafter he was promoted as Primary School Head Master and he is presently working as Head Master of Panchayat Union Primary School, Oornatham from the year 2018 onwards. The petitioner was served with suspension order by the 2nd respondent pending grave charges which was contemplated by the appointing authority. This suspension

order has been made as a subject matter of challenge in the present writ petition.

3.This Court has gone into the entire records and finds that the allegations made against the petitioner is quite serious. Therefore, this Court is not inclined to interfere with the suspension order at this stage. Therefore, a direction can be given for the completion of the disciplinary proceedings which has already been initiated against the petitioner by giving him a charge memo on 20.03.2019.

4.The respondents are directed to provide with all the materials that is sought for by the petitioner and relied upon by the employer to sustain the charge against the petitioner in the enquiry proceedings and final orders shall be passed within a period of two months from the date of receipt of copy of this order. It would be better if the petitioner comes out clean in a case of this nature instead of interfering with the suspension order at this stage.

5.This writ petition is disposed of with a direction to the 2nd respondent to complete the entire disciplinary proceedings within a period of eight weeks from the date of receipt of copy of this order. It is made clear that the petitioner shall be given all the necessary documents and he shall be given sufficient opportunity to defend himself in the disciplinary proceedings. Consequently, connected miscellaneous petition is closed. No Costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssr
To

1. The Chief Educational Officer,
Salem District, Salem.
2. The District Educational Officer,
Edapadi Education District,
Salem District.
3. The Block Educational Officer,
Kolathur Block, Salem District.

+1 cc to Government Pleader Sr.No. 1106729

+2ccs to Mr.G.Sankaran , Advocate SR.No. 106322 105661

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