

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24-04-2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33057 of 2018
and
W.M.P.No.38312 of 2018

P.M.Roga Barani .. Petitioner

..Vs..

1.The Joint Director of School Education,
(Higher Secondary),
College Road,
Chennai-600 006.

2.Chief Education Officer,
Cuddalore District.

3.District Educational Officer,
Cuddalore District.

4.The Secretary,
Thiruvallur Higher Secondary School,
Orathur,
Cuddalore District - 608 201.

5.S.Ponmudi .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the fourth respondent herein in proceedings Na.Ka.No.1/17 dated 21.10.2018 and quash the same.

For Petitioner : Mrs.Daisy for
Mr.G.Bala.

For Respondents-1to3 : Mr.A.Raja Perumal,
Additional Government Pleader.

For Respondent-4 : Mr.S.N.Ravichandran

O R D E R

The charge memo, issued by the fourth respondent in proceedings dated 21.10.2018, is challenged by the writ petitioner on the ground that the allegations are vague and non-specific in respect of the charges framed against the writ petitioner.

2. On a perusal of the impugned order, this Court is of an opinion that the charges are not only vague and not in accordance with the procedures for framing of the charges. It is not even in the prescribed format and therefore, the charges are untenable.

3. At this juncture, the learned counsel, appearing on behalf of the fourth respondent, filed an affidavit of undertaking, signed by the fourth respondent-Management, stating that they are withdrawing the impugned order dated 21.10.2018 with a liberty to issue proper charge memo in respect of the allegations levelled against the writ petitioner.

4. In view of the affidavit of undertaking filed by the fourth respondent, withdrawing the impugned charge memo, which is under challenge in the present writ petition, no further adjudication is required in respect of the grounds raised in the present writ petition.

5. Accordingly, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CJ Conf)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

Svn

To

1.The Joint Director of School Education,
(Higher Secondary),
College Road,
Chennai-600 006.

2.Chief Education Officer,
Cuddalore District.

3.District Educational Officer,
Cuddalore District.

4.The Secretary,
Thiruvallur Higher Secondary School,
Orathur,
Cuddalore District - 608 201.

+1cc to Mr.G.Bala & Daisy, Advocate, S.R.No. 39556
+1cc to Mr.S.N.Ravichandran, Advocate, S.R.No. 39403
+1cc to the Government Pleader, S.R.No. 39930

W.P.No.33057 of 2018

RSV(CO)
GN(03/06/2019)



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