



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.15138 of 2019

and

W.M.P. (MD) Nos.11639 & 11640 of 2019

P.Muthusamy

...Petitioner

Vs.

- 1.The Director of School Education,
O/o. the Director of School Education,
DPI Campus,
Chennai - 6.
- 2.The Joint Director of School Education (Higher Secondary),
O/o.The Joint Director of School Education (Higher Secondary),
DPI Campus,
Chennai - 6.
- 3.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Madurai,
Madurai District.
- 4.The Disciplinary Authority/
The District Educational Officer,
O/o. the District Educational Officer,
Usilampatti,
Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.ka.No.5454/ A4 / 2018 dated 01/12/2018 on the file of the respondent No.4 and quash the same as illegal and consequently, direct the respondents 1 to 4 to include the name of the petitioner in the panel for the post of Headmaster and permit the petitioner to participate in the General Transfer Counseling for the year 2019-20 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mrs.S.Srimathy

Special Government Pleader

**ORDER**

This Writ Petition has been filed to quash the impugned order passed in Na.ka.No.5454/ A4 / 2018 dated 01/12/2018 by the fourth respondent and to direct the respondents to include the name of the petitioner in the panel for the post of Headmaster and permit the petitioner to participate in the General Transfer Counseling for the year 2019-2020.

2.The grievance of the petitioner is that a case in Cr.No.2398 of 2018 has been registered against him. Aggrieved by the same, he has filed Crl.O.P.(MD) No.2727 of 2019 before this Court and this Court by order dated 22.02.2019 has quashed the said FIR. Thereafter, the petitioner made a representation on 19.06.2019 to the respondents for withdrawal of charge memo as per Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules. But on such representation till date no action has been taken by the respondents.

3.The learned Special Government Pleader appearing for the respondents would submit that the representation of the petitioner would be considered as expeditiously as possible on merit and in accordance with law.

4.Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

the fourth respondent is directed to consider the petitioner's representation dated 19.06.2019 on merits and in accordance with law within a period of one week from the date of receipt of a copy of this order;

5.This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Director of School Education,
O/o. the Director of School Education,
DPI Campus,
Chennai - 6.

2.The Joint Director of School Education (Higher Secondary),
O/o.The Joint Director of School Education (Higher Secondary),
DPI Campus,
Chennai - 6.



3.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Madurai,
Madurai District.

4.The Disciplinary Authority/
The District Educational Officer,
O/o. the District Educational Officer,
Usilampatti,
Madurai District.

+1cc to Mr.T.LAJAPATHI ROY, Advocate, SR.No. 74716

W.P. (MD) No.15138 of 2019
10.07.2019

MM

KK/SAR/12.07.2019/3P-6C

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