



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.21119 of 2014

A.Rajarajan

... Petitioner

-Vs-

1.The District Educational Officer,
Thanjavur, Thanjavur District.

2.The Correspondent,
Sri Sivasamy Iyer Higher Secondary School,
(Government Aided School),
Thirukkattupalli, Thanjavur District.

3.The Secretary,
Sri Sivas Sri Sivasamy Iyer Higher Secondary School,
(Government Aided School),
Thirukkattupalli, Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the impugned suspension order passed by the third respondent in Na.Ka.No.217, dated 16.09.2011 and to quash the same and consequently, directing the respondents 2 and 3 to reinstate the petitioner with all backwages and monetary benefits for the period of unemployment.

For Petitioner : Mr.M.Karunanithi

For R1 : Mrs.S.Srimathy,
Special Government Pleader.

For R2 and R3 : Mr.R.Mathiyalagan

ORDER

The suspension order dated 16.09.2011, is under challenge in the present Writ Petition.

2.The impugned suspension order states that the writ petitioner is involved in a criminal case for the offences under

<https://hcservices.ecourts.gov.in/hcservices/>



Sections 147, 148, 302 and 506(ii) IPC. The writ petitioner was arrested and kept in custody for more than 48 hours.

3.The learned counsel appearing on behalf of the respondents 2 and 3 filed counter affidavit as well as typed set of papers and he made a submission that the writ petitioner has involved in a case of murder and he had submitted a letter of resignation on 22.10.2012 and the said resignation letter was accepted by the school management and the school management also passed a resolution in proceeding dated 01.11.2012.

4.In view of the fact that the school management had accepted the letter of resignation and relieved the writ petitioner from service, the present Writ Petition deserves no merit consideration. The Writ Petition is filed challenging the suspension order. However, submission of resignation letter and acceptance of the same resulted the case became infructuous.

5.Accordingly, this Writ Petition stands disposed of as infructuous. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To
The District Educational Officer,
Thanjavur, Thanjavur District.

+1 CC to M/s.SPL GP (SR-84502[F] dated 30/08/2019)

+1 CC to M/s.R. MATHIYALAGHAN, Advocate (SR-84961[F] dated 03/09/2019)

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Myr
JMN(18.09.2019) 2P : 4C