



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.4459 of 2014

and

M.P. (MD) No.1 of 2015

Sri Konganeswara Vidyalaya
Aided Primary School
33, West Main Street
Thanjavur Town
Thanjavur 613 009
Rep.by its Secretary N.Meena
W/o.Narayanasamy

... Petitioner

vs.

1. The District Elementary Educational Officer
Thanjavur District, Thanjavur
2. The Assistant Elementary Educational Officer
Thanjavur Town, Thanjavur

3.R.Deivalakshmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari to call for the records relating to the impugned proceedings issued by the 1st Respondent in Na.Ka.No.4691/A4/2013 dated 28.02.2014 and quash the same.

For Petitioner : Mr.G.Sankaran

For Respondents: Mrs.S.Srimathy

Special Government Pleader for R1 & R2

Mr.P.Antony Arulraj for R3

O R D E R

The learned counsel for the third respondent made a submission that the writ petition is filed by the School challenging the proceedings of the first respondent, dated 28.02.2014, setting aside the order of suspension issued by the Secretary of the School.



2. Initially, an interim order of stay was granted by this Court in the present writ petition in favour of the writ petitioner / School. However, on filing a vacate stay petition filed by the respondents 1 and 2, the interim order of stay already granted was vacated and the stay petition itself was dismissed. Thus, the third respondent was allowed to continue in service right from the year 2015 and now, four years lapsed.

3. Under these circumstances, the interim suspension need not be reconsidered by the official respondents as well as by the writ petitioner and the third respondent shall be allowed to continue in service. If any departmental disciplinary proceedings are pending against the third respondent as of now, the authorities competent are empowered to proceed with the departmental disciplinary proceedings, conclude the same and pass final orders. In this view of the matter, no further consideration is required in respect of the grounds raised in the present writ petition.

4. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To:

1. The District Elementary Educational Officer,
Thanjavur District, Thanjavur.
2. The Assistant Elementary Educational Officer,
Thanjavur Town, Thanjavur.

+1 CC to Mr.T.ANTONY ARUL RAJ, Advocate (SR-77868[F] dated 26/07/2019)

+1 CC to Special Government Pleader(SR-77937[F] dated 26/07/2019)

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