



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.9249 of 2014
and
M.P (MD) Nos.2 & 3 of 2014

Vani

... Petitioner

Vs.

1. The District Elementary Education Officer,
Theni District,
Theni.
2. The Secretary,
Muthiah Elementary School,
K.Duraisampuram,
Kuchanoor,
Theni District.

... Respondents

PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the second respondent dated 26.02.2014 K.J.vz;.17/2014 and quash the same and consequently direct the second respondent to pay suspension allowance arrears from 26.02.2014 onwards.

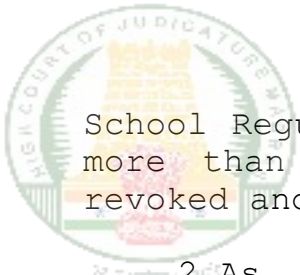
For Petitioner : Mr.M.Suresh Kumar

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

For R2 : Mr.C.Arul Vadivel alias Sekar

ORDER

The order of suspension issued by the second respondent in proceeding dated 26.02.2014 is under challenge in the present writ petition. However, the writ petitioner is working in a Private Aided School and with reference to the provisions of the Private



School Regulations Act, a Teacher cannot be placed under suspension more than 4 months. Accordingly, the order of suspension was revoked and the writ petitioner is now working in the school.

2. As far as the Departmental Disciplinary Proceedings are concerned, it is left open to the writ petitioner to defend her case in the manner known to law. The respondents are also bound to continue the Departmental Disciplinary Proceedings and conclude the same as expeditiously as possible by affording an opportunity to the writ petitioner. At the time of disposal of the Departmental Disciplinary Proceedings, all other grant of service benefits also can be considered by the competent authority.

3. With these observation, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

The District Elementary Education Officer,
Theni District,
Theni.

+1 CC to M/s.M.SURESHKUMAR, Advocate (SR-78740[F] dt 31/07/2019)

+1 CC to M/s.C.ARUL VADIVEL @SEKAR, Advocate (SR-78814[F] dt 31/07/2019)

+1 CC to M/s.SPL GP (SR-78840[F] dated 31/07/2019)

W.P. (MD)No.9249 of 2014
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Am

JMN (09.08.2019) 2P : 5C