



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.12493 of 2011

and

M.P. (MD) No.1 of 2011

WEB COPY

C.Jeyaganesh

... Petitioner

-Vs-

1.The Director of School Education,
DPI Compound, College Road,
Chennai-6.

2.The Joint Director of School Education (Personnel),
DPI Compound, College Road,
Chennai-6.

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

4.P.Krishnamoorthy ... Respondents
(4th Respondent is impleaded vide Court order dated 03.06.2019 in
M.P. (MD) No.2 of 2011 in W.P. (MD) No.12493 of 2011).

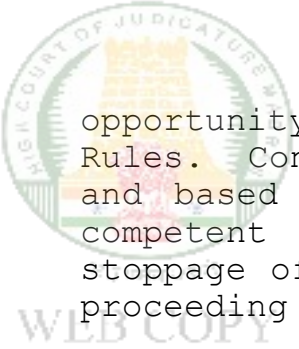
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, to call for the records pertaining to the impugned order in Na.Ka.No.55700/C4/E3/2011, dated 11.08.2011 on the file of the respondent No.2 and quash the same as illegal.

For Petitioner : Mr.T.Lajapathi Roy
For R1 to R3 : Mr.C.Ramar,
Additional Government Pleader.
For R4 : Mr.D.Shanmugaraja Sethupathy

ORDER

The order of punishment issued by the second respondent in proceeding dated 11.08.2011, imposing the punishment of stoppage of increment for three months without cumulative effect is under challenge in the present Writ Petition.

2.The writ petitioner was working as Teacher Trainer in Kottambatti Centre of Madurai District from the year 2008 onwards. On account of certain allegations of misbehaviour with the colleague and other teachers, a charge memo under Rule 17(A) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules (hereinafter referred as 'the Rules') was instituted against the writ petitioner. A show cause notice was issued to the writ petitioner under Rule 17(A) of the Rules and the writ petitioner was also provided with an



opportunity to submit his explanation as contemplated under the Rules. Considering the explanation submitted by the writ petitioner and based on the information and files available on record, the competent authority passed final orders, imposing punishment of stoppage of increment for three months without cumulative effect in proceeding dated 11.08.2011.

3.The grounds raised on merits deserves no further adjudication in the present writ petition, as the competent authority considered the factual aspects and such findings cannot be interfered with by this Court under Article 226 of the Constitution of India in the absence of any discrepancy. This apart, the minor punishment of stoppage of increment for three months without cumulative effect was imposed. The allegation against the writ petitioner was that he used some unparliamentary words and misbehaved with the colleague and other teachers.

4.Under these circumstances, considering the facts, this Court is not inclined to interfere with the order of punishment issued against the writ petitioner, as there is no infirmity. Accordingly, this writ petition is devoid of merits and the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Director of School Education,
DPI Compound, College Road,
Chennai-6.

2.The Joint Director of School Education (Personnel),
DPI Compound, College Road,
Chennai-6.

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

+1 CC to SPL GP SR-67082.

+1 CC to Mr.D.SHANMUGARAJA SETHUPATHI, Advocate SR-66798.

W.P(MD)No.12493 of 2011

03.06.2019

(2/2)