



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2020

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD)No.6732 of 2020

B.Arun Kumar

... Petitioner

Vs.

1.The Director of Elementary Education,
Directorate of Elementary Education,
College Road, Chennai - 600 006.

2.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Dindigul,
Dindigul District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to pass final orders in the departmental proceedings initiated vide the charge memo in Na.Ka.No.002250/13/2018, dated 16.05.2018 on the file of the first respondent within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Louis

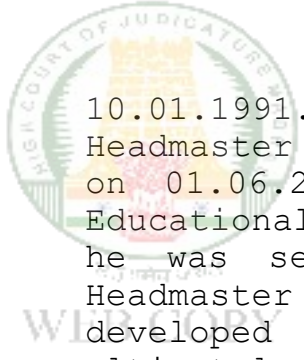
For Respondents : Mrs.S.Srimathy,
Special Government Pleader.

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, to direct the respondents to pass final orders in the departmental proceedings initiated vide charge memo in Na.Ka.No.002250/13/2018, dated 16.05.2018 on the file of the first respondent within the time stipulated by this Court.

3.The case of the petitioner is that he was appointed as the secondary Grade Teacher in the Panchayat Primary School, Thonthilingapuram, Kottampatti Union, Madurai District on



10.01.1991. Thereafter, he was given promotion to the post of Headmaster at the Panchayat Union Middle School, E.Kottaipatti and on 01.06.2017, the third respondent promoted him as the Block Educational Officer in Guziliamparai Block, Dindigul District. While he was serving as Block Educational Officer, one T.Mohandass, Headmaster of the Panchayat Union Middle School, Guziliamparai, developed an enmity against the petitioner and harassed him and ultimately both were shifted to different places.

4. In the meantime, the first respondent, issued the charge memo dated 16.05.2018 levelling five charges against him and others. Thereafter, the petitioner submitted his explanation as early as on 05.06.2018 and the Enquiry Officer / District Educational Officer conducted an enquiry on 14.09.2018 and the petitioner submitted his written explanation on the said date. Thereafter, the Enquiry Officer submitted the enquiry report to the second respondent. Since the enquiry was completed and no final orders were passed for the last two years, the petitioner sent a representation to the second respondent dated 17.03.2020 to pass final orders at the earliest. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

5. Mrs. S. Srimathy, learned Special Government Pleader, who took notice for the respondents, submitted that final orders will be passed in the departmental proceedings initiated vide charge memo dated 16.05.2018 within a time frame fixed by this Court.

6. Considering the submission made by the learned Special Government Pleader, this Court directs the second respondent to pass final orders in the departmental proceedings initiated vide charge memo dated 16.05.2018, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above observation, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



To

1.The Director of Elementary Education,
Directorate of Elementary Education,
College Road, Chennai - 600 006.

2.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Dindigul,
Dindigul District.

Order made in
W.P. (MD) No.6732 of 2020
Dated:15.06.2020

SDS (18.06.2020) 3P-3C