



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :10.12.2020

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THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.18129 of 2020

V.Chandrakala

... Petitioner

Vs.

1. The Secretary,
Ministry of School Education Department,
Government of Tamilnadu,
Secretariat, Fort St.George,
Chennai 600 009.
2. The Director of School Education,
DPI Complex, Chennai 600 006.
3. The District Collector,
O/o. District Collector Office,
Madurai.
4. The Chief Educational Officer,
Office of the Chief Educational Officer,
Madurai District, Madurai.
5. The District Educational Officer,
Office of the District Educational Officer,
Madurai Educational District, Madurai.
6. The Secretary,
Ayria Vaisya Higher Secondary School,
Madurai 625 001.

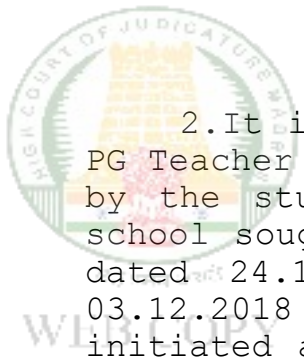
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 5 to consider the petitioner's representation dated 30.09.2020, within a time frame to be stipulated by this Hon'ble Court.

For Petitioner : Mr.K.Neelamegam
For R1 to R5 : Mr.A.Thiagarajan
Government Advocate

ORDER

This Writ Petition is filed to direct the respondents 1 to 5 to consider the petitioner's representation dated 30.09.2020.



2.It is the grievance of the petitioner that she is working as PG Teacher in the 5th respondent school. Based on the complaint given by the student, namely, Balabharathirajan, the management of the school sought for explanation from the petitioner, vide proceedings dated 24.11.2018. Though the petitioner has given a reply on 03.12.2018 to the 5th respondent, the entire enquiry proceeding initiated as against her has not been completed till date. Hence, the petitioner has made a representation dated 30.09.2020 to the respondents to close the complaint, based on the explanation dated 03.12.2018. However, the respondents have not taken any steps to consider the petitioner's representation dated 30.09.2020. Therefore, left with no other alternative, the petitioner is before this Court.

3.In reply, Mr.A.Thiagarajan, learned Government Advocate appearing for the respondents 1 to 5 would submit that the petitioner's representation dated 30.09.2020 would be considered on merits and in accordance with law, within a period of four weeks.

4.Admittedly, based on the complaint given by the student, namely, Balabharathirajan, the management of the school sought for explanation from the petitioner, vide proceedings dated 24.11.2018. Though the petitioner has given a reply on 03.12.2018 for the aforesaid notice, the enquiry proceedings initiated as against the petitioner are pending for more than 2 years. Therefore, this Court is of the view that appropriate orders will be required to the respondents to dispose of the petitioner's representation dated 30.09.2020.

5.In the light of the above, the writ petition stands disposed of with a direction to the 4th respondent to complete the entire departmental disciplinary proceedings initiated as against the petitioner, by taking into consideration of the representation of the petitioner, dated 30.09.2020 and the explanation, dated 03.12.2018 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

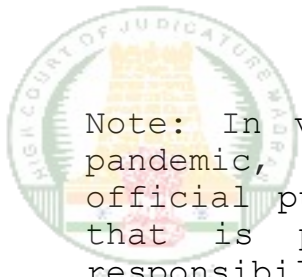
Assistant Registrar (Crl.Side)

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Sub Assistant Registrar(CS)

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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.

WEB COPY

To

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Madurai District,
Madurai.
5. The District Educational Officer,
Office of the District Educational Officer,
Madurai Educational District,
Madurai.

+1 CC to the SPL GP (SR-25100[F] dated 11/12/2020)

+1 CC to Mr.K.NEELAMEGAM, Advocate (SR-25168[F] dated 11/12/2020)

W.P. (MD) No.18129 of 2020

10.12.2020

KVN(CO)

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