



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD).Nos.258, 2922, 2923, 2924, 2925 and 8137 of 2015
and
M.P. (MD)Nos.1, 2, 3, 4, 1, 1, 1, 1 and 1 of 2015

R. Thenmozhi ...Petitioner in WP(MD).No.258 of 2015
S.Kasthuri ...Petitioner in WP(MD).Nos.2922 and 2923 of 2015
M.Gopalakrishnan ...Petitioner in WP(MD).No.2924 of 2015
M.Nellaiyappan ...Petitioner in WP(MD).No.2925 of 2015

Vs

1 The Director of School Education, DPI Campus,
Chennai 600 006.

2 The District Elementary Educational Officer,
Virudhunagar District, Collector Office Campus,
Virudhunagar.

...Respondents 1 and 2 in
W.P. (MD).Nos.258, 2922, 2923, 2924 and 2925 of 2015
and 2nd and 3rd Respondent in WP(MD).8137 of 2015

3 The Management of Hindu Dhevamar Primary School,
28 Quad-E-Milad Street, Sivakasi,
Virudhunagar District.

...3rd Respondent in W.P. (MD).Nos.258,
2922, 2923, 2924 and 2925 of 2015 and
Petitioner in WP(MD).No.8137 of 2015

4 G. Chandran ...4th Respondent in W.P. (MD).Nos.258,
2922, 2923, 2924 and 2925 of 2015

The Secretary to the Government,
School Education Department
Fort St. George,
Chennai 600 009.

... 1st Respondent in WP(MD).8137 of 2015

Prayer in WP(MD).No.258 of 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus, calling for the records from the 3rd/4th respondent relating to the impugned charge memos dated 21.12.14 in file No.1/14, dated 22.12.14 in file No.2/14, dated 23.12.14 in file no.3/4, dated 24.12.14 in file No.4/14 and also the suspension order dated 26.12.14 in Order No.File No.5/2014-1 of the 3rd /4th



respondent quash the same and consequently to direct the respondents to settle and pay all pension and retirement benefits of the petitioner in time award costs.

Prayer in WP(MD).No.2922 of 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, after calling for the records from the 4th Respondent relating to the Impugned Charge memo dated 06.02.15 passed in File No. 4/2015 of the 4th Respondent, quash the same and consequently to direct the 1st & 2nd respondents to take appropriate action against the 4th respondent for having misused the power and position of the secretary of the 3rd Respondent school and to further direct the 4th respondent to pay suitable compensation to the petitioner as may be fixed by this Honourable Court, award costs and thus render justice.

Prayer in WP(MD).No.2923 of 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records from the 4th respondent relating to the impugned order dated 12.02.2015 passed in file no.6.2014-1 of the 4th respondent , quash the same and consequently to direct the 1st and 2nd respondents to take appropriate action against the 4th respondent for having misused the power and position of the secretary of the 3rd respondent school and to further direct the 4th respondent to pay suitable compensation to the petitioner as may be fixed by this Hon'ble Court.

Prayer in WP(MD).No.2924 of 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, after calling for the records from the 4th Respondent relating to the Impugned Charge memo dated 06.02.15 passed in File No. 5/2015 of the 4th Respondent, quash the same and consequently to direct the 1st & 2nd respondents to take appropriate action against the 4th respondent for having misused the power and position of the secretary of the 3rd Respondent school and to further direct the 4th respondent to pay suitable compensation to the petitioner as may be filed by this Honourable Court, award costs.

Prayer in WP(MD).No.2925 of 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, after calling for the records from the 4th Respondent relating to the Impugned Charge memo dated 06.02.15 passed in File No. 6/2015 of the 4th Respondent, quash the same and consequently to direct the 1st & 2nd respondents to take appropriate action against the 4th respondent for having misused the power and position of the secretary of the 3rd Respondent school and to



further direct the 4th respondent to pay suitable compensation to the petitioner as may be fixed by this Honourable Court, award costs.

Prayer in WP(MD).No.8137 of 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the order dated 29.04.2015 in R.C.No. 1218/A4/2015 on the file of the District Elementary Education Officer, Virudhunagar District, the third respondent herein and quash the same.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mrs.S.Srimathi
Special Government Pleader for R1 & R2
in W.P.(MD).Nos.258, 2922, 2923,
2924 and 2925 of 2015
and for 1st to 3rd Respondents
in WP(MD).8137 of 2015

Mr.A.V.Arun for
3rd & 4th Respondents in
W.P.(MD).Nos.258, 2922, 2923, 2924
and 2925 of 2015
and for Petitioner in
WP(MD).No.8137 of 2015

COMMON ORDER

The learned counsel appearing on behalf of the third respondent school as well as the learned Special Government Pleader appearing on behalf of the respondents 1 and 2 made a submission that the re-deployment period itself was over and the writ petitioners were allowed to retire and all the terminal and pensionary benefits were also settled. However, if any other grievances exist for the petitioners regarding the settlement of benefits, it is left open to them to approach the competent authorities for redressal in the manner known to law.

2.With these observations, all these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To
1.The Secretary to the Government,
School Education Department
Fort St. George,
Chennai 600 009.

2.The Director of School Education,
DPI Campus, Chennai-600 006.

3.The District Elementary Educational Officer,
Virudhunagar District,
Collector Office Campus,
Virudhunagar.

+1 CC to M/s.GP (SR-23867[F] dated 03/12/2020)

W.P. (MD) .Nos.258, 2922, 2923, 2924,
2925 and 8137 of 2015
01.12.2020

NS (CO)
TR(16.12.2020) 4P 5C