

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2021

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.4104 of 2021

and

W.M.P. Nos.4681 & 4683 of 2021

P.Alagiammal

... Petitioner

Vs

1. The Chief Educational Officer,
Dharmapuri.

2. The District Educational Officer,
Harur, Dharmapuri District.

3. The Block Educational Officer,
Harur, Dharmapuri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records pertaining to the proceedings of the 2nd respondent in ROC. No.405/A5/2020 dated 29.06.2020 and quash the same as illegal and consequently direct the respondents to reinstate the petitioner in service and with all consequential benefits.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.P.Raja,
Government Advocate

ORDER

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

2.The petitioner has come up with this writ petition challenging the proceedings of the 2nd respondent in ROC. No.405/A5/2020 dated 29.06.2020 and seeking a direction to the respondents to reinstate her in service with all consequential benefits.

3. According to the petitioner, she was originally appointed as a Teacher at Panchayat Union Primary School, Sangilipatty Village on 04.07.2006 and worked for more than 16 years without any remarks. While she was working in Panchayat Union Primary School, Keelmorappur, Harur Taluk, Dharmapuri District, she took medical leave from 18.03.2020, due to which, she was issued with a suspension order dated 29.06.2020 alleging that her absence was unauthorised one and FIR in Cr.No.61 of 2020 dated 11.03.2020 was registered against her for the offences punishable under Sections 420, 120b, 406, 294b and 506(i) IPC. Thereafter, no progress was made as regards the proceedings initiated against the petitioner, which compelled her to make a representation dated 17.12.2020 to the respondents 2 and 3 requesting to revoke the suspension and reinstate her in service. As there was no response, she has come up with this writ petition for the aforesaid relief.

4. However, the learned counsel for the petitioner fairly submitted that it would suffice, if the representation made by the petitioner is directed to be considered by the respondents, on merits.

5. Mr. P. Raja, learned Government Advocate taking notice for the respondents, has no serious objection for granting such relief to the petitioner.

6. Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court directs the respondents to consider the petitioner's representation dated 17.12.2020 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vum

To

1. The Chief Educational Officer,
Dharmapuri.
2. The District Educational Officer,
Harur, Dharmapuri District.
3. The Block Educational Officer,
Harur, Dharmapuri District.

+1cc to Mr.J.Pradeep, Advocate, S.R.No.11323.

+1cc to the Government Pleader, S.R.No.11572.

W.P.No.4104 of 2021
and

W.M.P. Nos.4681 & 4683 of 2021

SKY(CO)
CSR 31.03.2021



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