

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.10635 of 2021

&

W.M.P.Nos.11249 and 11252 of 2021

S.Manimegalai

.. Petitioner

Versus

1.The State of Tamil Nadu
Rep. by The Secretary to the Government
Education Department Secretariat
Chennai 600 009.

2.The Director of School Education
College Road Chennai 600 006.

3.The Joint Director of Higher
Secondary Education College Road
Chennai 600 006.

4.The District Educational Officer
Thirutani, Thiruvallur District.

5The Chief Educational Officer
Vellore.

6.The Chief Educational Officer
Tiruvallur.

.. 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 on the file of the 4th respondent in connection with the order passed by him in his proceedings Na.Ka.No.1309/A1 /2020 dated 08/01/2021 and the order passed by the 2nd respondent in his proceedings in Na.Ka.No.86715 /W1 /E2 /2017 dated 31/07/2020 and quash the same and consequently direct the respondents to pay all the monetary and servivce benefits to that effect to the petitioner.

For Petitioner : Mr.R.Singaravelan, Senior Counsel
for Ms.P.Brindha

For Respondents: Mr.P.Raja, Govt.Advocate

O R D E R

Petitioner was imposed with punishment for some alleged misconduct committed by her. Against which she preferred an appeal to the 1st respondent on 17.11.2020. Since the appeal was not disposed of she approached this Court in W.P.No.20150 of 2020. This Court after considering the facts and circumstances of the case directed the 1st respondent to consider the appeal filed by the petitioner dated 17.11.2020 on merits and pass orders within a period of two weeks. While the matter stood thus, the 4th respondent in his proceedings Na.Ka.No.1309/A1/2020 dated 08.01.2021 has returned the papers as it has been filed after the limitation period.

2. It is noted that a positive direction was issued by this Court on 30.12.2020 to consider the appeal on merits. In spite of the same, the appeal has been returned on a technical ground. Such procedure is contrary to the directions issued and it is not encouraging also. Therefore, the proceedings dated 08.01.2021 passed by the 4th respondent is set aside and a direction is given to the 1st respondent to dispose of the appeal without insisting on limitation period on merits and in accordance with law after affording an opportunity of personal hearing as directed by this Court W.P.No.20150 of 2020 dated 30.12.2020 within a period of six weeks from the date of receipt of the order copy.

With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to the Government
State of Tamil Nadu
Education Department Secretariat
Chennai 600 009.

2.The Director of School Education
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Thirutani, Thiruvallur District.

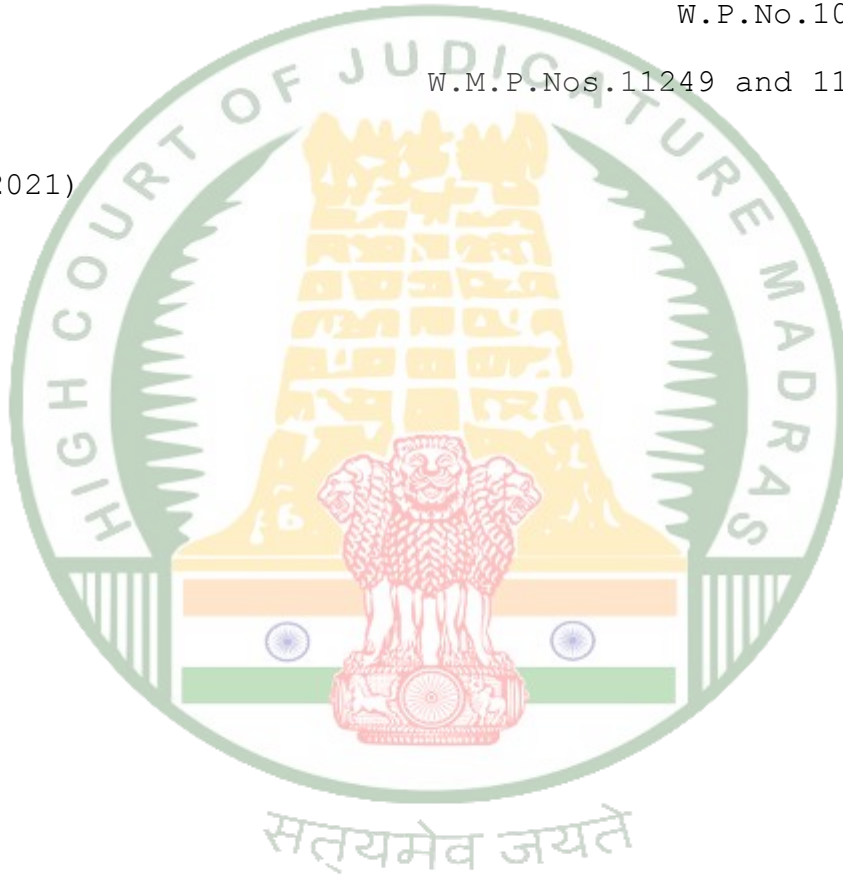
5The Chief Educational Officer
Vellore.

6.The Chief Educational Officer
Tiruvallur.

+lcc to Mr.P.Brindha, Advocate, S.R.No. 25894
+lcc to the Government Pleader, S.R.No. 26369

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JP II(CO)
GN(07/07/2021)



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