



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2021

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THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**W.P(MD)No.770 of 2020
& WMP(MD)Nos.554 & 555 of 2020**

Chinnasamy

... Petitioner

Vs.

1. The Chief Educational Officer,
Virudhunagar District
Virudhunagar.
2. The District Educational Officer,
Srivilliputhur,
Virudhunagar District.
3. The Secretary of School Committee,
Seiventhipatti Nadar Higher Secondary School,
Mamsapuram,
Virudhunagar District.
4. The Head Master,
Seiventhipatti Nadar Higher Secondary School,
Mamsapuram,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned resolution dated 20.12.2019 and the consequential impugned order passed by the 3rd respondent vide Naa.Kaa.No.001/2019 dated 20.12.2019 and quash the same as illegal.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.S.Saji Bino, Spl.GP for RR1 & 2
Mr.K.K.Kannan, for R3

ORDER

Heard Mr.V.Angusamy, learned counsel appearing for the petitioner, Mr.S.Saji Bino, learned Special Government Pleader appearing for the respondents 1& 2 and Mr.K.K.Kannan, learned counsel for the third respondent.

2.This Writ Petition has been filed seeking for issuance of a Certiorari, to call for the records relating to the impugned resolution dated 20.12.2019 and the consequential impugned order



passed by the 3rd respondent vide Naa.Kaa.No.001/2019 dated 20.12.2019 and quash the same as illegal.

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

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4. The petitioner has been placed under suspension vide proceedings dated 20.12.2019 by the 3rd respondent since he was remanded to judicial custody pursuant to the criminal case registered against him. The grievance of the petitioner is that he has been continued to be placed under suspension for the past two years.

5.It is pertinent to note that Section 22(3)(b) of the Tamil Nadu Recognized Private Schools (Regulation) Act, 1974 clearly states that no order of suspension shall remain in force for more than a period of two months from the date of suspension unless the competent authority extends the period of suspension for a further period of two months by recording reasons in writing and one such reason is that the enquiry could not be completed within two months for the reasons directly attributable to such teacher or other person. In view of the same, this Court is of the view that the suspension order impugned in the present Writ Petition cannot be sustained.

6.However, when this Writ Petition is taken up for hearing, it is reported that the impugned suspension order has already been revoked. Therefore, there is virtually nothing remains for adjudication in the Writ Petition. Accordingly, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition are closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

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.



To

1. The Chief Educational Officer,
Virudhunagar District
Virudhunagar.
2. The District Educational Officer,
Srivilliputhur,
Virudhunagar District.

**W.P (MD) No.770 of 2020
13.12.2021**

MGJ(11.02.2022) 3P 3C