



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **16.12.2021**

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.22327 of 2021
& WMP (MD)No.18880 of 2021

I.Josephine Gnanasoundari

... Petitioner

Vs.

1.The State rep. by
The Secretary, School Education Department,
Fort St. George, Chennai-600 009

2.The Director,
School Education Department,
DPI Complex, College Road,
Nangambakkam, Chennai.

3.The Regional Accounts Officer(Audit),
School Education Department,
Madurai Region,
Madurai.

4.The Chief Educational Officer,
Dindigul District,
Dindigul

5.The Headmistress,
Government High School,
Padiyoor,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the fifth respondent vide Na.Ka.No.151/2020, dated 06.05.2020 and consequential impugned proceedings in Na.Ka.No.47 of 2021, dated 12.11.2021 and quash the same as illegal and for other reliefs.

For Petitioner : Mr.J.Lawrance
For Respondents : Mr.J.Ashok, AGP



ORDER

Heard Mr.J.Lawrance, learned counsel appearing for the petitioner and Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents.

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2.This Writ Petition has been filed seeking for issuance of a Certiorari, calling for the records pertaining to the impugned order passed by the fifth respondent vide Na.Ka.No.151/2020, dated 06.05.2020 and consequential impugned proceedings in Na.Ka.No.47 of 2021, dated 12.11.2021 and quash the same as illegal and for other reliefs.

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

4.This Writ Petition has been filed as against the order of recovery dated 06.05.2020 on the ground that without providing an opportunity to the petitioner, by the order impugned in this Writ Petition, the petitioner was directed to pay the amount.

5.Mr.J.Ashok, learned Additional Government Pleader, who takes notice on behalf of the respondents submits that it is only a show cause notice and they have not finalized the quantum of amount which has to be paid by the petitioner. The petitioner can very well submit his explanation for the show cause notice, it would be considered and then only final orders would be passed.

6.In view of the above submission of the learned Additional Government Pleader, that the order impugned is only a show cause notice, this writ petition is disposed of with a direction to the petitioner to submit his reply if any within a period of 15 days from the date of receipt of a copy of this order. Thereafter, the respondent shall pass the final order within a period of two weeks there on. It is needless to state that during the course of enquiry, the respondents shall also furnish the documents if any, which were relied on by them for issuance of the above show cause notice.

7.Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// 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 State rep. by
The Secretary, School Education Department,
Fort St. George, Chennai-600 009

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School Education Department,
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4.The Chief Educational Officer,
Dindigul District,
Dindigul

5.The Headmistress,
Government High School,
Padiyoor,
Dindigul District.

+1 CC to M/s.SPL GP (SR-39479[F] dated 20/12/2021)

+1 CC to M/s.J.LAWRANCE, Advocate (SR-39462[F] dated 20/12/2021)

W. P (MD) No.22327 of 2021
16.12.2021

KG(CO)
KP(04.04.2022) 3P 8C