



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2022**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.11938 of 2018

and

W.M.P. (MD)No.10892 & 10893 of 2018

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G.Princely

...Petitioner

/Vs./

1.The Secretary to Governemnt,
Education Department,
State of Tamil Nadu,
Secretariat,
St.Fort George, Chennai-9.

2.The Director of Elementary Education,
College Road, Chennai-6.

3.The District Elementary Educational Officer,
Tirunelveli District, Tirunelveli.

4.The Corporate Manager,
Rc Schools,
Tuticorin Diocesan Association,
Catholic Bishops House,
82, Great Cottan Road, Tuticorin -628 001.

5.The Correspondent,
St.Anthonys Middle School,
Karangadu, Nanguneri-627 108,
Tirunelveli District.

6.Fr.S.Mani Antony,
The Correspondent,
St.Antonys Middle School,
Karangadu, Nanguneri-627 108,
Tirunelveli District.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the orders passed by the 4th respondent in his proceedings in Ref.No.2018/103 dated 21/05/2018 and quash the same and consequently direction may be issued to respondents to reinstate the petitioner in the post of B.T.Assistant (science) in 5th respondent school within stipulated time with full back wages.



For Petitioner : Mr.M.M.Manivel Pandian
For R1 to R3 : Mr.V.Om Prakash
Government Advocate
For R4 & R5 : Mr.Fr.Xavier
for M/s.Father Xavier Associates
For R6 : No appearance

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ORDER

Heard Mr.M.M.Manivel Pandian, learned counsel for the petitioner, Mr.V.Om Prakash, learned Government Advocate for the official respondents and Mr.Fr.Xavier, learned counsel for the St.Anthonys Middle School, Nanguneri.

2.The petitioner was working as BT Assistant (Science) in St.Anthonys Middle School/R5, an aided minority school. Certain charges were laid against the petitioner and domestic enquiry ordered. The report of the enquiry officer was that four charges were held proved and one partly proved.

3.In compliance with the principles of natural justice, proceedings were conducted by the respondents and an order of dismissal came to be passed on 21.05.2018 that has been challenged in this writ petition.

4.I find absolutely no justification for the present writ petition to have been filed, as no materials are placed on record by the petitioner warranting intervention in the impugned order.

5.The charges as against the petitioner are that he had not submitted the lesson plans/notes of the lessons as required, threatened the headmaster in a drunken mood using unparliamentary language and had availed unauthorized leave. These are all questions of fact.

6.That apart, no submissions are made before me as to what is the infirmity in the impugned order. Adjournments have been continuously sought only on the ground that the petitioner was negotiating an amicable solution with the Management for resolution of the matter. This, by itself shows that there is no merit whatsoever in this writ petition. Hence, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are 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 Secretary to Governemnt,
Education Department,
State of Tamil Nadu,
Secretariat,
St.Fort George, Chennai-9.

2.The Director of Elementary Education,
College Road, Chennai-6.

3.The District Elementary Educational Officer,
Tirunelveli District, Tirunelveli.

+1 CC to M/s.FATHER XAVIER ASSOCIATES, Advocate (SR-3003[F] dated 31/01/2022)

+1 CC to M/s.SPL.GP (SR-3094[F] dated 31/01/2022)

Order made in
W.P.(MD)No.11938 of 2018
Dated: 28.01.2022

dks (CO)
TR(09.02.2022) 3P 6C