



WEB COPY

W.P.No.6970 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.6970 of 2023

and

W.M.P.No.7079 of 2023

Anusuya,
Headmistress,
Panchayat Union Elementary School,
E.Keeranoor,
Cuddalore District.

.. Petitioner

Vs.

1.The Principal Secretary to
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat,
Chennai – 600 009.

2.The Registrar,
State Human Rights Commission,
No.143, P.S.Kumarasamy Raja Salai,
Chennai – 600 028.

3.Santhi,
Assistant Teacher,
Government Elementary School,
E.Keeranoor Village,
Cuddalore District.



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4.Siva Kumar,
Assistant Teacher,
Panchayat Union Elementary School,
E.Keeranoor,
Cuddalore District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the records relating to the impugned recommendation in SHRC Case No.7411 of 2020 passed by the State Human Rights Commission dated 04.07.2022 and to quash the same.

For Petitioner	: Mr.D.Alexis Sudhakar
For R1	: Mr.P.Gurunathan Additional Government Pleader
For R3	: Mr.S.Sreerangan
For RR 2 & 4	: No appearance

ORDER

(Order of the Court was delivered by V.LAKSHMINARAYANAN,J.)

This Writ Petition challenges the order dated 04.07.2022, passed by the State Human Rights Commission in SHRC Case No.7411 of 2020.

2.We are not deciding this matter on merits, on the following grounds:



2(i).When the Writ Petition was taken up for hearing, the learned counsel appearing for the petitioner produced an order of Division Bench of this Court dated 10.01.2023, passed in W.P.No.22808 of 2022. The said Writ Petition challenged the very same proceedings at the instance of an other Assistant Teacher by name, A.Sivakumar. After detailed consideration, the Division Bench of this Court on 10.01.2023, passed the following order:

“ ...

9. In such circumstances, the recommendations made by the State Human Rights Commission, Chennai in SHRC Case No.7411 of 2020, dated 04.07.2022 are set aside and the matter is remitted back to the file of the State Human Rights Commission, Chennai/the 2nd respondent herein for considering the same afresh. The State Human Rights Commission, Chennai/the 2nd respondent herein is also requested to afford opportunity to all the parties concerned and pass appropriate orders on merits as expeditiously as possible. Since the matter is remitted back to the file of State Human Rights Commission, Chennai, the Secretary to the Government, School Education Department, Chennai/the 1st respondent herein is directed to



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not take any further action against the writ petitioner until the matter is disposed of on merits by the State Human Rights Commission, Chennai.”

3.Following the said order dated 10.01.2023, this Writ Petition is allowed and the matter is remitted back to the file of the 2nd respondent for fresh consideration, in accordance with the order dated 10.01.2023, passed in W.P.No.22808 of 2022. Consequently, the connected Miscellaneous Petition is closed. No costs.

(V.M.V., J) (V.L.N., J)
30.03.2023

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

1.The Principal Secretary to
Government of Tamil Nadu,
Home, Prohibition and Excise Department,
Secretariat, Chennai – 600 009.

2.The Registrar,
State Human Rights Commission,
No.143, P.S.Kumarasamy Raja Salai,
Chennai – 600 028.



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V.M.VELUMANI, J.
and

V.LAKSHMINARAYANAN, J.

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