



W.P.No.19585 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08..09..2023

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.19585 of 2023

Tmt.B.Punithavathi

..... Petitioner

-Versus-

1.The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai 600 009.

2.The Commissioner,
Greater Chennai Corporation,
“Ripon Building”
Chennai 600 003.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the impugned proceedings issued by the first respondent in Letter (efile) No.358/Pa.Ka.3(2)/2022-2, School Education Department, dated 13.02.2023 confirming the impugned order passed by the 2nd respondent in ka.thu.na.ka.No.C4/7119/2021 dated 10.06.2022 and to quash the same the same and to further direct the respondents to reinstate the petitioner into service with all service and monetary benefits.



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For Petitioner : Mr.V.Chandrasekaran

*For Respondent (s) : Mr.V.Jeevagiridharan,
Addl. Government Pleader
for R1
Mr.S.Gopinathan for R2*

ORDER

This writ petition challenges the order of punishment of dismissal of the petitioner from service imposed by the 2nd respondent as confirmed by the 1st respondent.

2. The petitioner was proceeded with departmentally on the charges of forgery. According to the disciplinary authority, the petitioner had forged SSLC mark statement and by producing the same he got appointment in the department in 1997 as Secondary Grade Assistant.

3. The learned counsel for the petitioner submitted that the petitioner was also criminally prosecuted on the same set of charge for having committed forgery of school mark sheet and the same is pending and therefore, he prayed that he may be permitted to withdraw the writ petition for the present and to approach the court after the disposal of the criminal case pending against her.

4. Since criminal case is pending against the petitioner on the same set of facts, there is no useful purpose would be served in keeping this writ petition pending and it would be appropriate to direct the petitioner to approach this



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court after the criminal case pending against her is disposed of and to dismiss the writ petition for the present.

In the result, this writ petition is dismissed, however with liberty to the petitioner to approach this court to challenge the order of punishment of dismissal from service after the disposal of the pending criminal case against her. No costs.

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Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

To

- 1.The Principal Secretary to Government,
School Education Department,
Secretariat, Chennai 600 009.
- 2.The Commissioner,
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N.SATHISH KUMAR.J.,

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