



WEB COPY



W.P.No.27702 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.27702 of 2023
and
W.M.P.No.27189 of 2023

Deepa Lakshmi

... Petitioner

Vs.

1.The Chief Educational Officer,
Chief Education Office,
District Collectorate, Sathuvachari,
Vellore – 632 009.

2.The District Educational Officer,
District Education Office,
District Collectorate, Sathuvachari,
Vellore – 632 009.

3.The State,
Represented by its Sub-Inspector,
Virinchipuram Police Station,
Vellore – 632 104.

4.Devi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records on the file of the 1st respondent in proceedings RC No.3435/ A3/ 2023 dated 12.08.2023 and quash the same as unjust, outrageous, illegal and untenable.



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For Petitioner : Mr.V.Raghavachari
Senior Counsel
for M/s.V.Srimathi

For R1 to R3 : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order of the 1st respondent, dated 12.08.2023, placing the petitioner under suspension.

2.It is the grievance of the petitioner that, while she was working as Teacher in the Government High School, Elavambadi, Vellore District, she was placed under suspension on the allegation that she had physically assaulted the students. Challenging the same, the present writ petition has been filed.

3.Heard the learned counsel for the petitioner and Mr.V.Jeevagiridharan, learned Additional Government Pleader, who takes notice for the respondents 1 to 3.



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4.The only allegation against the petitioner is that she has caused physical violence on the student and therefore, she has been placed under suspension vide the impugned order. It appears that the petitioner has been placed under suspension pursuant to the filing of an FIR in Crime No.173 of 2023 dated 10.08.2023 against the petitioner. A perusal of the FIR makes it clear that the main allegation against the petitioner in the FIR is that the petitioner has asked the student as to why she had not completed the project using the sketch pens. The allegations in the FIR appear to have been made by the parents of the student. It is further alleged that petitioner bet the student with a wooden scale. However, it is relevant to note that the FIR itself has been registered after two days, i.e., on 10.08.2023, after this issue appears to have surfaced in the newspapers. It is also pertinent to note that majority of the parents and public have also given representations in support of the petitioner, indicating that the entire allegations against the petitioner have been pressed into service by using the caste card. Considering the above aspects and also having regard to the nature of allegations levelled against the petitioner, this Court is of the view that the suspension of the petitioner is not warranted at all. In fact, even for any disciplinary proceedings, such suspension is not required.



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5. Therefore, this Court directs the respondents to revisit the suspension of the petitioner and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

22.09.2023

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

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Chief Education Office,
District Collectorate, Sathuvachari,
Vellore – 632 009.

2. The District Educational Officer,
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3.The Sub-Inspector,
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N. SATHISH KUMAR, J.

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