



W.P.(MD)Nos.19477 & 19478 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.19477 and 19478 of 2022

and

W.M.P(MD) Nos.14222, 14224,14227, 14226, 14228
and 14229 of 2022

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| 1.K.Karpagam | ...Petitioner in W.P.(MD)No.19477 / 2022 |
| 2.N.Ahaz Reegan | ..Petitioner in W.P.(MD)No.19478 / 2022 |

Vs.

- 1.The Director of School Education,
O/o.the Director of School Education,
DPI Compound, College Road,
Chennai.
- 2.The Chief Educational Officer,
Office of the Chief Educational Office,
Thoothukudi, Thoothukudi District.
- 3.The District Educational Officer,
O/o.the District Educational Office,
Thoothukudi, Thoothukudi District.



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4.The Chairman,

Muthukaruppan Memorial Hr.Sec.School,
Subbammalpuram, Sillakulam (Post),
Ottapidaram (Taluk), Thoothukudi District.

5.R.Nirmala

6.The Correspondent,

Muthukaruppan Memorial Higher Secondary School,
Subbammalpuram, Sillakulam (Post),
Ottapidaram (Taluk), Thoothukudi District.

7.K.Saroja

8.Balamurugan

9.The District Adi-Dravidar and Tribal Welfare Officer,

O/o.The District Adi Dravidar and Tribal Welfare Office,
Thoothukudi District.

10.M.Navaneethan

... Respondents
in both WPs

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents from concluding the departmental proceedings in pursuance to the proceedings of the 9th respondent in Na.Ka.AaNa4/30351/2015 dated 08.07.2022 without reinstating the petitioner in service in conformity with the order made by this Court in W.P.(MD)Nos.14823 and 14825 of 2020 dated 27.04.2022 and consequently direct the respondents to disburse the salary to the petitioner with arrears within the period that may be stipulated by this Court.



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In both petitions:

For Petitioners : Mr.H.Mohamed Imran
for M/s.Ajmal Associates

For R1 to R3 : Mr.S.Shaji Bino

Special Government Pleader

For R5, R7 & R8 : Mr.C.Mayilvahana Rajendran

COMMON ORDER

These writ petitions have been filed to forbear the respondents from concluding the departmental proceedings in pursuance to the proceedings of the 9th respondent in Na.Ka.AaNa4/30351/2015 dated 08.07.2022 without reinstating the petitioners in service in conformity with the order of this Court dated 27.04.2022 made in W.P.(MD)Nos. 14823 and 14825 of 2020 and consequently, to direct the respondents to disburse the salary to the petitioners with arrears within the period that may be stipulated by this Court.

2. The Petitioner in W.P. (MD)No.19477 of 2022 was appointed as Headmistress and the Petitioner in W.P.(MD)No.19478 of 2022 was appointed as Office Assistant. The petitioners were placed under suspension on 07.10.2020 for certain allegations and charge memos were also issued on the petitioners. The petitioners challenged the order of suspension and the charge memo issued on them in W.P.(MD)Nos.14823



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and 14825 of 2020 and this Court, by order dated 27.04.2022, quashed the order of suspension and charge memos issued on the petitioners and directed the respondents to reinstate the petitioners in service. However, without reinstating the petitioners on service and without following any factual procedure, the respondents proceeded with the enquiry process. Hence, the present writ petitions have been filed by the petitioners with the prayer stated supra.

3.In the interregnum, the petitioners have filed contempt petitions in Cont.P.(MD) Nos.822 and 823 of 2022 alleging non compliance of the order passed by this Court in W.P.(MD)Nos.14823 and 14825 of 2020. After filing of these contempt petitions, in compliance of the order daed 27.04.2022, the respondents have reinstated the petitioners in service on 24.01.2023 and also forwarded the bills to the Adi Diravidar Welfare Department for disbursing the salary payable to the petitioners.

4.The learned counsel appearing on behalf of the respondents would submit that the entire salary payable to the Petitioners will be paid to the petitioners within a period of four weeks from today (i.e., 27.01.2023). The said submission is recorded.



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5. In view of the aforesaid subsequent developments that had taken place, the prayer sought for in these writ petitions does not warrant any further consideration. Accordingly, these writ petitions are disposed of. No costs. Consequently connected miscellaneous petitions are closed.

27.01.2023

NCC : Yes/No

Index : Yes/No

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To

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2. The Chief Educational Officer,
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Thoothukudi, Thoothukudi District.

3. The District Educational Officer,
O/o.the District Educational Office,
Thoothukudi, Thoothukudi District.

4. The Chairman,
Muthukaruppan Memorial Hr.Sec.School,
Subbammalpuram, Sillakulam (Post),



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Ottapidaram (Taluk), Thoothukudi District.

M.DHANDAPANI,J.

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5.The Correspondent,

Muthukaruppan Memorial Higher Secondary School,
Subbammalpuram, Sillakulam (Post),
Ottapidaram (Taluk),
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6.The District Adi-Dravidar and Tribal Welfare Officer,

O/o.The District Adi Dravidar and Tribal Welfare Office,
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