



W.P(MD)No.18214 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P(MD)No.18214 of 2023

and

W.M.P(MD)No.15191 of 2023

Hemalatha

... Petitioner

Vs.

1.The Chief Education Officer

Theni,

Theni District.

2.The District Education Officer,

Uthamapalayam,

Theni District.

3.The Secretary

T.P.V.V.U. Gurukkal Middle School,

Chinnamanur,

Theni District.



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4.The Presiding Officer

Internal Complaints Committee,
T.P.V.V.U. Gurukkal Middle School,
Chinnamanur,
Theni District.

5.Selvanadhan

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned notice dated 23.06.2023 issued by the fourth respondent and quash the same and further direct the respondents 1 to 3 herein to form a fresh internal complaints committee strictly in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention Prohibition and Redressal) Act, 2013.

For Petitioner : Mr.Samuel Gunasingh

For Respondents : Mr.V.Nirmal Kumar - for R1 & R2

Government Advocate

Mr.MRS.Prabhu - for R3

Mr.G.Rajaram - for R5

No Appearance - for R4



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ORDER

This Writ Petition has been filed against the order dated 23.06.2023 of the fourth respondent and for a consequential direction to the respondents 1 to 3 to form a fresh internal complaints committee strictly in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention Prohibition and Redressal) Act, 2013, in the interest of justice.

2. Heard Mr.P.Samuel Gunasingh, learned counsel for the petitioner, Mr.V.Nirmal Kumar, learned Government Advocate appearing for the respondents 1 and 2, Mr.MRS.Prabhu, learned counsel appearing for the third respondent and Mr.G.Rajaram, learned counsel appearing for the fifth respondent and perused the material available on records.

3. The case of the petitioner is that appointing Internal Complaints Committee by the third respondent, appointing a person as Presiding Officer against whom, the petitioner made a complaint to the



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Superintendent of Police, is illegal, arbitrary and violative of principles of natural justice.

4. The learned counsel appearing for the third respondent during the course of hearing today, placed the proceedings dated 25.08.2023 of the third respondent, wherein, it is stated that Fresh Committee was constituted, after accpeting the resignation of the Presiding Officer and one member of the Complaint Committee constituted earlier.

5. The said proceedings are placed on record.

6. In view of the fact of constituion of the Fresh Committee by the third respondent, in our considered view, no further adjudication is required in the present Writ Petition.

7. Accordingly, this Writ Petition is dismissed.

8. No costs.



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9. Consequently, connected miscellaneous petition is closed.

11.09.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No
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To

1.The Chief Education Officer

Theni,

Theni District.

2.The District Education Officer,

Uthamapalayam,

Theni District.



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BATTU DEVANAND, J.

rm

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