



W.P.(MD).Nos.4500 and 4509 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.01.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).Nos.4500 and 4509 of 2017

and

W.M.P.(MD).Nos.3601, 3605 of 2017 and 12699 of 2018

W.P.(MD).No.4500 of 2017:

Dr.K.Geethanjali

... Petitioner

Vs.

- 1.The Director of College Education,
Chennai.
- 2.The Joint Director of College Education,
Tirunelveli.
- 3.The Secretary/Correspondent,
Nazareth Margoschis College at Pillaiyanmanai,
Nazareth,
Tuticorin District.
- 4.The Principal,
Nazareth Margoschis College at Pillaiyanmanai,
Nazareth,
Tuticorin District.

... Respondents



W.P.(MD).Nos.4500 and 4509 of 2017

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the impugned order of suspension in Proc.No.F.51/2016-17-2, dated 24.02.2017, on the file of the third respondent and the order of suspension passed in Proc.No.F.51/2016-17-4, dated 13.03.2017 on the file of the fourth respondent and to quash the same as illegal.

For Petitioner : Mr.A.Azhageson

For R-1 and R-2 : Mr.D.Sadiq Raja,
Additional Government Pleader.

For R-3 : Mr.P.P.Alwin Balan

For R-4 : Mr.T.A.Ebenezer

W.P.(MD).No.4509 of 2017:

S.Suresh Abraham Prathab

... Petitioner

Vs.

- 1.The Director of College Education,
Chennai.
- 2.The Joint Director of College Education,
Tirunelveli.
- 3.Mr.D.Gnanaraj, B.Sc.,
The Secretary/Correspondent,
Nazareth Margoschis College at Pillaiyanmanai,
Nazareth,
Tuticorin District.



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4.Dr.H.Ravindran,
The Principal,
Nazareth Margoschis College at Pillaiyanmanai,
Nazareth,
Tuticorin District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the impugned order of suspension passed by the third respondent in Proc.No.F.51/2016-17-1, dated 24.02.2017 and consequential order of suspension passed by the fourth respondent under Proc.No.F.51/2016-17-3, dated 13.03.2017 and to quash the same as illegal.

For Petitioner : Mr.K.R.Laxman

For R-1 and R-2 : Mr.D.Sadiq Raja,
Additional Government Pleader.

For R-3 : Mr.P.P.Alwin Balan
For R-4 : Mr.T.A.Ebenezer

COMMON ORDER

The Writ Petition in W.P.(MD).No.4500 of 2017 is filed challenging the suspension order dated 24.02.2017 passed by the third respondent and the order of suspension dated 13.03.2017 passed by the fourth respondent. The Writ Petition in W.P.(MD).No.4509 of 2017 is filed challenging the suspension order passed by the third respondent dated 24.02.2017 and consequential order of suspension passed by the fourth respondent dated 13.03.2017.



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2. The petitioners are working in the third respondent College. There are certain allegations against the petitioners. The School has issued a charge memo and the petitioners are facing the disciplinary proceedings.

3. Since the petitioners are under suspension for more than five years, this Court is inclined to revoke the suspension orders. Hence, the impugned suspension orders are quashed. The respondents are directed to proceed with the charge memo and conclude the domestic enquiry as per law within a period of six (6) months from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petitions are allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

31.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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To

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- 1.The Director of College Education,
Chennai.
- 2.The Joint Director of College Education,
Tirunelveli.



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S.SRIMATHY, J.

Nsr

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