



W.P(MD)No.29779 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29779 of 2023

P.Anusuya

... Petitioner

Vs.

- 1.The Secretary to the Government,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
DMS Complex, Annasalai,
Teynampet, Chennai-600 018.
- 3.The District Collector,
Tirunelveli District, Kokkirakulam,
Tirunelveli-627 009.
- 4.The Chief Educational Officer,
Collectorate,
Tirunelveli-627 009.
- 5.The District Educational Officer,
Tirunelveli Educational District,
Swami Nellaiyappar High Road,
Tirunelveli Town-627 006.

6.M.Alex Sahayaraj

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 4 and 5 herein to initiate appropriate disciplinary action against the 6th respondent herein for his commission of sexual assault in the workplace on the basis of petitioner's petition, dated 14.09.2023 and reminder, dated 20.11.2023.

For Petitioner : M/s.K.Neelamegam

For R1 - R5 : Mr.N.GA.Natraj
Government Advocate

ORDER

The present writ petition has been filed by a Junior Assistant working in a Government School seeking a Mandamus as against the educational authorities to initiate action as against the Headmaster of the concerned school for indulging in sexual harassment.

2. According to the learned counsel appearing for the writ petitioner, she had lodged a complaint to the 4th respondent on 14.09.2023 and she had sent a reminder on 20.11.2023. Another representation has been sent on 23.11.2023 to the Chairman, Tamil Nadu Commission for Women.



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3. According to the learned counsel appearing for the writ petitioner, though written complaints have been lodged before the authorities, they have not referred the issue to the Internal Complaints Committee as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Hence, the present writ petition.

4. On instructions, the learned Government Advocate appearing for the official respondents submitted that Internal Complaints Committee has already been constituted to enquire into the complaint of the writ petitioner. The 4th respondent is contemplating to forward the said complaint to the Internal Complaints Committee.

5. Considering the above said facts, the 4th respondent is directed to forward the said complaint along with all records to the Internal Complaints Committee within a period of two (2) weeks from the date of receipt of copy of this order. The Internal Complaints Committee shall strictly adhere to the procedure as contemplated under the said Act and the connected Rules and complete the enquiry within a period of four (4) months from the date of receipt of the complaint.



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6. With the above said observations, this Writ Petition stands disposed of. No costs.

19.12.2023

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

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R.VIJAYAKUMAR,J.

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