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W.P.No.595 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.595 of 2024 and
WMP.No.579 of 2024

S.Shanthi

... Petitioner

Vs.

- 1.The Joint Director of School Education(Personnel),
Chennai-06
- 2.The Chief Educational Officer &
District Programmer Officer,
Samagra Shiksha,
Salem
- 3.The Assistant Programmer Officer, DPO,
Samagra, Salem
- 4.The Supervisor-in-charge,
Block Resources Centre,
Yercaud, Salem District

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of certiorari calling for the records on the file of the second respondent in Rc.No.3821/A1/2023 dated 11.12.2023 and to quash the same as illegal.

For Petitioner : M/s.P.Rajalakshmi



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For Respondents

For R1 & 2 : Mr.P.Gurunathan,
Additional Government Pleader

For R3 & 4 : Mrs.R.L.Karthika,
Government Advocate

ORDER

This writ petition has been filed challenging the order of suspension dated 11.12.2023 passed by the second respondent.

2. The petitioner was working as Block Resource Teacher Educator in Yercaud Block, Salem District. There was an inspection by the second respondent dated 21.11.2023. During his visit, she has mentioned some of the discrepancies in the centre and informed to rectify a list of defects, which was informed by the petitioner to the junior officer. However, he has not noted down the same. Therefore, on 04.12.2023, the petitioner met the Headmaster and informed about the visit of the second respondent. Therefore, there was quarrel between the junior teacher educator and the petitioner. It was also published in social



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media. Thereafter, the fourth respondent submitted detailed report dated 06.12.2023. On receipt of the same, the petitioner was placed under suspension by order dated 11.12.2023.

3. On perusal of the report dated 06.12.2023, the petitioner involved in reprobate violent behaviour toward one of her colleagues that include exchanging blows with him during working hours of that day and by deliberately causing disrepute to decorum and probity of her office. Now, it has been challenged on the only ground that the second respondent has no jurisdiction or authority to suspend the petitioner since the first respondent is the appointing authority of the petitioner.

4. The learned Additional Government Pleader appearing for respondents 1 & 2 would submit that by the letter dated 12.01.2024, it has been ratified by the first respondent.

5. That apart, it is premature to consider the revocation of suspension order since the petitioner was suspended from service only from 11.12.2023. Therefore, the prayer sought for in this writ petition cannot be considered and the writ petition itself is devoid of merits and



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liable to be dismissed.

6. Accordingly, this writ petition is dismissed. However, the petitioner is at liberty to submit representation before the first respondent for revocation of her suspension four weeks later and on receipt of the same, the first respondent is directed to revisit the order of suspension and consider the same on merits and in accordance with law and pass appropriate orders. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

23.02.2024

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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