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W.P.No. 6572 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6572 of 2024

Dr. S. Raja Soundara Pandian

.... Petitioner

Vs

The Director of Collegiate Education,
Office of the Directorate of Collegiate Education,
Saidapet, Chennai – 600 015.

.... Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's detailed explanation dated 15.09.2023 to the charge memo dated 24.04.2023 in Na.Ka.No.11684/D4/2020 and consequently drop the disciplinary proceedings.

For Petitioners : Mr.S.P.Sudalaiyandi

For Respondent : Mr.C.Jayaprakash
Government Advocate

ORDER

This Writ Petition has been filed for a direction directing the respondent to consider the detailed explanation dated 15.09.2023 and drop the disciplinary proceedings.

2. Heard the learned counsel appearing on either side and perused



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the materials available on record.

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3. The petitioner was selected to the post of Assistant Professor through the respondent and he was posted as Assistant Professor in the Government College of Education, Orathanadu, Thanjavur. Subsequently, he was transferred to the Vellore and Pudukottai Government Education Colleges. Once again, he was transferred to the College of Education, Orathanadu. While being so, he was appointed as in-charge of the Principal of the said College from 14.10.2020. Since, another person was appointed as Principal with full additional charge, the petitioner was relieved from the post of in-charge Principal. Therefore, the petitioner challenged the said order before this Court in W.P.No.16961 of 2020. In the said writ petition, the respondent filed a counter stating that the petitioner was involved in criminal case as per the report received from the CBI, Head Quarters, Bangalore. Accordingly, the petitioner and 40 others conspired to cheat the National Council of Teacher Education. Therefore, the petitioner was denied the post of Principal in-charge.



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4. Pending writ petition, the petitioner was served with a charge memo dated 24.04.2023, alleging that the petitioner violated Section 20 of the Tamil Nadu Government Servants Conduct Rules, 1973. The said charge memo was also challenged before this Court in W.P.No.14273 of 2023. Subsequently, the writ petition filed by the petitioner in W.P.No.16961 of 2020 was dismissed as infructuous. Now, the petitioner filed this writ petition seeking a direction to consider the explanation submitted by the petitioner for the charge memo dated 24.04.2023 and drop the entire disciplinary proceedings.

5. A perusal of the communication dated 15.09.2023 submitted by the petitioner, reveals that it is not an explanation. The petitioner sought for action as against the person, who filed the counter affidavit in W.P.No.16961 of 2020.

6. The learned Government Advocate appearing for the respondent also produced the entire file and it seen that so far the petitioner



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did not submit any explanation for the charge memo issued to him dated 24.04.2023. In fact, the petitioner requested for further time to explain.

7. In view of the above, the direction sought for in this writ petition cannot be considered and the writ petition itself is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. The petitioner is directed to file an explanation within a period of one week from today. The respondent is directed to proceed with the disciplinary proceedings and complete the same within a period of twelve weeks thereafter.

13.03.2024

Index: Yes/No
Speaking Order: Yes
Lpp

Note : Issue order copy on or before 15.03.2024

To

The Director of Collegiate Education,
Office of the Directorate of Collegiate Education,
Saidapet, Chennai – 600 015.



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G.K.ILANTHIRAIYAN, J.

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