



WEB COPY



W.P.No.7086 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM:

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

W.P.No.7086 of 2024

P.Kirubanantha Dayanidhi

.... Petitioner

Vs

1. The Joint Director,
Department of School Education
(Personnel),
Chennai – 600 006.

2. The Chief Educational Officer,
Krishnagiri,
Krishnagiri District.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent in Rc.No.4157/A2/2023 dated 16.08.2023 and quash the same consequently direct the respondents to initiate departmental proceedings forthwith to reinstate the petitioner and to conclude the same within the time frame that may be fixed by this Court.

For Petitioner : Mr.V.Chinnasamy

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER



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This Writ Petition has been filed challenging the order of suspension dated 16.08.2023 passed by the second respondent.

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

3. The petitioner had joined the service as B.T.Assistant in the Government School in the year 2014. The petitioner is involved in the criminal case registered in Crime No.18 of 2023 for the offence under Sections 417, 420, 120(b), 468, 471 of IPC, alleging that he received huge amount from the defacto complainant to obtain Government job. The petitioner, being the teacher, involved in a job rocketing case. Therefore, serious allegations were made as against the petitioner and as such, the petitioner was arrested and remanded to judicial custody. Pursuant to the registration of the FIR, the petitioner was deemed to be suspended from service from the date of his arrest by an order dated 16.08.2023. The petitioner was released on bail and he is complying with the condition before the Investigating Officer daily. That apart, the investigation is still pending. Therefore, the revocation of suspension order is pre-matured. The petitioner was also receiving subsistence allowance.

4. In view of the above, this Court finds no infirmity or illegality in the order of suspension dated 16.08.2023 passed by the second respondent.



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Thus, the writ petition is devoid of merits and is liable to be dismissed.

Accordingly, this Writ Petition stands dismissed. The petitioner is at liberty to submit a representation to the respondent for revocation of order of suspension subject to the result of the criminal case. No costs.

19.03.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
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To

1. The Joint Director,
Department of School Education
(Personnel),
Chennai – 600 006.

2. The Chief Educational Officer,
Krishnagiri,
Krishnagiri District.

G.K.ILANTHIRAIYAN. J.

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