



W.P.No.15268 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.15268 of 2024

Sweety Jeya Mary

.. Petitioner

Versus

1. The Director,
Directorate of School Education,
D.P.I. Campus, College Road, Chennai - 6.
2. The Chief Educational Officer,
Panagal Building, Saidapet, Chennai - 15.
3. The District Educational Officer,
Chennai North, Chennai - 8.
4. The Secretary / Correspondent,
Gnanodhaya Girls High School,
No.165, Melpatti Ponnappan Street,
Vyasarpadi, Chennai - 39.
5. The Enquiry Officer,
Dr.A.Sahib Ali, MA, M.Ed, Ph.D,
Assistant Educational Officer (retired),
No.9, First Cross Street, Seethamma Extension,
Teynampet, Chennai - 39.
6. The Director of Private Schools,
School Education Department,
College Road,
Nungambakkam,



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Chennai - 600 006.

.. Respondents

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*R6 is suo-motu impleaded by the order, dated 12.06.2024
in W.P.No.15268 of 2024

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned dismissal order, dated 07.03.2024 on the file of the 4th respondent and quash the same and consequently, direct the 4th respondent to reinstate the petitioner with back wages and other benefits.

For Petitioner : Mr.M.Aloysius Raja Pragash

For Respondents : Mrs.S.Mythreye Chandru,
Special Government Pleader,
for RR-1 to3

ORDER

This Writ Petition is filed challenging the impugned order, dated 07.03.2024, in and by which, the petitioner is imposed with a punishment of dismissal from service.

2. The learned Counsel for the petitioner submits that in the earlier round of litigation, a Writ Petition was directly entertained against the dismissal order and after remanding the matter back, the present impugned order was passed.



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3. That may be so, now, after the remand order is passed, when the order of punishment is passed, the petitioner has an effective alternative remedy by way of filing an appeal before the Director of Private School Education under Section 41 of the *Tamil Nadu Private Schools (Regulation) Act, 2019*. In that view of the matter, the Director of Private Schools, School Education Department, College Road, Nungambakkam, Chennai - 600 006 is suo-motu impleaded as the sixth respondent in the Writ Petition.

4. This Writ Petition is disposed of on the following terms :-

(i) The petitioner can prefer an appeal as against the impugned order, dated 07.03.2024 within two weeks from the date of receipt of a copy of this order;

(ii) If such an appeal is preferred within the said period of two weeks, then the same shall be treated as filed within time and the same shall be considered by the sixth respondent in accordance with law and on merits and final orders shall be passed in the appeal, in any event, within 12 weeks from the date of filing of the appeal;

(iii) There shall be no order as to costs.



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Note :- Registry is directed to return the original impugned order, dated 07.03.2024 to enable the petitioner for preferring appeal.

To

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No.165, Melpatti Ponnappan Street,
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5. The Director of Private Schools,
School Education Department,
College Road,
Nungambakkam,
Chennai - 600 006.



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D.BHARATHA CHAKRAVARTHY, J.

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