



Writ Petition No.26786 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM

THE HON'BLE DR. JUSTICE D.NAGARJUN

Writ Petition No.26786 of 2015

P.Bakkiyalakshmi

...Petitioner

Versus

- 1.The Secretary
School Education Department,
Fort St. George,
Chennai – 600 009.
- 2.The District Elementary Educational Officer
District Elementary Educational Office,
Cuddalore.
- 3.The Additional Assistant Elementary Educational Officer,
Additional Assistant Elementary Educational Office,
Anna Gramam Block.
Panruti
Cuddalore.
- 4.The Panchayat Union Middle School
Anna Gramam Block
Panapakkam
Panruti
Cuddalore.



Writ Petition No.26786 of 2015

5.Mrs.M.Meera
Panchayat Union Elementary School
Anna Gramam Block
Nallurpalayam
Panruti
Cuddalore.

...Respondents

Prayer: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus forbearning the Respondents from interfering with petitioner continuance as Secondary Grade teacher at Panchayat Union Middle School Anna Gramam Block, Panapakkam, Panruti, Cuddalore District without following due procedure including as laid down in G.O.Ms.No.232 dated 10.07.2015.

For Petitioner	: Mr.J.Shanmuga Sundara Babu
For Respondents	: Mr.S.Rajesh
R1 to R4	Government Advocate

ORDER

This writ petition is filed with a prayer to issue a writ of Mandamus forbearning the Respondents from interfering with petitioner continuance as Secondary Grade teacher at Panchayat Union Middle School Anna Gramam Block, Panapakkam, Panruti, Cuddalore District without following due procedure including as laid down in G.O.Ms.No.232 dated 10.07.2015.

2. When the matter was taken up for hearing today, Mr.S.Rajesh,



Writ Petition No.26786 of 2015

learned Government Advocate representing the respondents has filed proceedings of the Cuddalore District Educational (Elementary Education) Officer bearing RC.No.244/B2/2022 dated 25.03.2024 to the effect that inquiry was initiated against the petitioner in respect of misconduct and an Inquiry Officer was appointed and some charges were found to be proved and finally the Cuddalore District Educational (Elementary Education) Officer has passed orders for removal of the petitioner from the service. It is submitted that the copy of the proceedings has been handed over on the petitioner which is circulated now by the learned Government Advocate.

3. Since the petitioner filed this writ petition not to affect her transfer from the place where petitioner was working by following due process of law as in G.O.Ms.No.232 dated 10.07.2015, since the petitioner has already been removed from service the prayer sought for by the petitioner in this writ petition becomes infructuous. In case the petitioner is aggrieved by the proceedings of Cuddalore District Educational (Elementary Education) Officer bearing RC.No.244/B2/2022 dated 25.03.2024 by removing her from service, the petitioner is at liberty to agitate the same by approaching appropriate forum.



Writ Petition No.26786 of 2015

WEB COPY 4. With the above observations and directions, this writ petition stands disposed of. There shall be no order as to costs.

28.03.2024

Speaking Order : Yes/No

Index Case : Yes/No

Neutral Citation : Yes/No

nst



Writ Petition No.26786 of 2015

WEB COPY

To:

- 1.The Secretary
School Education Department,
Fort St. George,
Chennai – 600 009.
- 2.The District Elementary Educational Officer
District Elementary Educational Office,
Cuddalore.
- 3.The Additional Assistant Elementary Educational Officer,
Additional Assistant Elementary Educational Office,
Anna Gramam Block.
Panruti
Cuddalore.
- 4.The Panchayat Union Middle School
Anna Gramam Block
Panapakkam
Panruti
Cuddalore.

DR.D.NAGARJUN , J.

nst



WEB COPY



Writ Petition No.26786 of 2015

Writ Petition No.26786 of 2015

28.03.2024