



W.P.No.35124 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.35124 of 2024
and
W.M.P.No.38049 of 2024

T. Meena

...Petitioner

Vs

1. Chief Educational Officer,
Chief Educational Office
Collectorate Campus
Dharmapuri District,
Tamil Nadu – 636 705.

2. District Educational Officer(Elementary
District Educational Office (Elementary)
Dharmapuri District,
Tamil Nadu 636 701.

3. Block Educational Officer
Block Educational Office,
Dharmapuri District,
Tamil Nadu 636 701.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned commutation dated 24.09.2024 issued by the District



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Educational officer (Elementary) Dharmapuri in Na.Ka.3725/A6/2023
and quash the same and pass orders.

For Petitioner : Mr. K. Jagannathan

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

ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Certiorari calling for the records relating to the impugned commutation dated 24.09.2024 issued by the District Educational officer (Elementary) Dharmapuri in Na.Ka.3725/A6/2023 and quash the same and pass orders.

3. The facts of the case is that the petitioner is working as a teacher in Panchayat Union Middle School. She is residing in a rented premises at Flat No.F-1304, Akshaya January Apartment Complex, Chengalpattu and had executed a rental agreement on 17.12.2018 with one Dhanaraj. The said Dhaanaraj passed away and a third party who is no way



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connected with the case has lodged a false complaint under CSR No.492 of 2023 dated 09.05.2023 alleging that there was some default on the payment of rent by the petitioner. As a criminal complaint was lodged against the petitioner in order to protect her, she filed Crl.O.P.No.16834 of 2024. In the mean time the petitioner received summons on the complaint made by the third party, due to which the petitioner filed another Crl.O.P.No.22348 of 2024. The grievance of the petitioner is that based on the said issue the District Educational Officer, Dharmapuri/second respondent passed the impugned order on 24.09.2024, wherein, it is stated that some Criminal Original Petitions have been filed against the petitioner legal action can be taken against her. Aggrieved over the same the petitioner has come up with this petition.

4. The learned counsel for the petitioner submitted that there is no default of rent by the petitioner. He further submitted that the said complaint was lodged by one third party and not by the land lord. It is pertinent to note that there is no allegation or complaint that the petitioner has violated any service rules or engaged in any professional misconduct. Hence, the issue involved in this writ petition does not require



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interference by the educational authorities. Hence, prays to allow this petition.

5. The learned Special Government Pleader appearing for the respondents submitted that they have not passed any adverse order against the petitioner nor initiated disciplinary proceedings against the petitioner. They have just sought for a petition copy as some criminal complaint has been lodged against the petitioner.

6. Heard both sides and perused the materials available on record.

7. On a perusal of records it is seen that there was some criminal complaint against the petitioner with regard to payment of rent. As stated by the learned counsel for the petitioner there is no allegation against the petitioner with regard to violation of any service rules, allegations, misconduct etc., On the other side as stated by the respondents they have not taken action against the petitioner and only sought for a petition copy and other relevant documents as there was



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some criminal complaint against the petitioner. When this being the case, no prejudice will be caused to the petitioner due to submitting the papers relating to the criminal case foisted against her.

8. In view of the above facts, this Court directs the petitioner to produce all the relevant papers pertaining to the criminal case to the respondents on or before 06.12.2024 and on receipt of the same, the respondents are directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of four weeks thereon.

9. With the above observations this writ petition stands disposed of. No order as to costs. Consequently the connected miscellaneous petition is closed.

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Index:Yes/No

Speaking order/Non-speaking order

smn

Note: The Registry is directed to issue order copy on 04.12.2024



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V.BHAVANI SUBBAROYAN,J.

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