



W.P.(MD).No.3497 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.3497 of 2024

and

W.M.P.(MD)Nos.3461, 3463 & 3464 of 2024

V.Savithiri

... Petitioner

Vs

1.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Sivagangai District.

2.Sri Meenakshi Girls Higher Secondary School,
Represented by its Secretary,
Karaikudi – 630 001.
Sivagangai District.

*(R1 is amended vide Court order dated 04.11.2024
in W.M.P.(MD)No.5577 of 2024in W.P(MD)No.3497 of 2024)*

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 06.11.2023 on the file of the respondent No.2 and quash the same as illegal and consequently for the direction, directing the respondents to reinstate the petitioner in the post of Post Graduate Assistant (Economics) with full salary within the time period stipulated by this Court.



WEB COPY



W.P.(MD).No.3497 of 2024

For Petitioner : Mr.T.Aswin Raja Simman
For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1
: Mr.Abdul Kalam Azad for
Mr.R.M.Arun Swaminathan for R2

ORDER

The instant writ petition has been filed by a PG Assistant(Economics) working in the second respondent school challenging the order of suspension dated 06.11.2023.

2.A perusal of the suspension order reveals that the petitioner has been placed under suspension by the second respondent's Management on certain allegations of collecting money from the former students. The petitioner has been issued with a charge memo on the same day. However, it is submitted by the learned Counsel appearing for the second respondent that they are not in a position to proceed with the enquiry in view of the fact that the petitioner refuses to participate in the enquiry proceedings on the ground that salary has not been paid to him.



W.P.(MD).No.3497 of 2024

WEB COPY

3. On instructions, the learned Counsel appearing for the petitioner submits that he would participate in the enquiry provided the salary is paid.

4. Considering the above said facts, this Court is inclined to pass the following orders:

a) The Management is directed to send the salary bills of the writ petitioner for a period of 6 months from 06.11.2023 for which the aid shall be released by the authorities concerned;

b) In view of the Rule 30(4) of the Tamil Nadu Private Schools (Regulation) Rules 2023, the Management shall pay the subsistence allowance beyond the period of 6 months; and

c) the enquiry shall be completed within a period of three months from the date of receipt of a copy of this order.

5. With the above said directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

25.11.2024

1/2

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR



WEB COPY



W.P.(MD).No.3497 of 2024

R.VIJAYAKUMAR, J.

RJR

To

The Chief Educational Officer,
O/o. the Chief Educational Officer,
Sivagangai District.

W.P(MD)No.3497 of 2024

25.11.2024

1/2