



W.P.(MD)No.9490 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.9490 of 2024

and

W.M.P.(MD).Nos.8610 & 8611 of 2024

K.Mathiyazhagan,
Headmaster,
Panchayat Union Primary School,
Sillathur North,
Thiruvonam, Pattukottai,
Thanjavur.

... Petitioner

Vs.

1.The District Educational Officer (Primary Education),
District Educational Office,
Pattukottai, Thanjavur.

2.The Block Development Officer,
Block Development Office,
Thiruvonam,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned charge memo issued by the first respondent in ந.க.எண்:0753/ஆ3/2024 dated 01.04.2024 and quash the same as illegal.



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For Petitioner : Mr.V.Ramamurthy

For Respondents : Mr.M.Siddharthan,
Additional Government Pleader

ORDER

Heard Mr.V.Ramamurthy, learned counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

2. This Writ Petition has been filed seeking to quash the impugned charge memo issued by the first respondent in Na.Ka.No.0753/AA3/2024 dated 01.04.2024.

3. Mr.V.Ramamurthy, learned counsel appearing for the petitioner submitted that the first respondent has straight away issued charge memo to the petitioner, even without issuing show-cause notice to offer his explanation. Further, the charge-memo contains vague charges and he further submitted that the petitioner was not furnished any supporting documents and hence, the charge memo itself is illegal and liable to be quashed.



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4. Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents on instructions would submit that the matter may be remanded to the respondents for issuing show cause notice and the concerned respondent will issue show notice to the petitioner and then, appropriate orders will be passed.

5. Considering the said submission, I feel that the charge memo can be quashed and direct the respondents to issue show cause notice to the petitioner.

6. Accordingly, the Writ Petition is **allowed** and the impugned charge memo issued by the first respondent in Na.Ka.No.0753/AA3/2024 dated 01.04.2024 is quashed and a direction is given to the first respondent to issue show cause notice to the petitioner before proceeding with any charge memo and pass appropriate orders by considering the explanation to be submitted by the petitioner to the show cause notice. No costs. Consequently, connected miscellaneous petitions are closed.

03.06.2024

Index:yes/no
Internet:yes/no
Ncc : yes/no
TSG



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To

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District Educational Office,
Pattukottai, Thanjavur.

2.The Block Development Officer,
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R.N.MANJULA, J.

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