



W.P.(MD)No.13628 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.13628 of 2022

and W.M.P. (MD) Nos.9680 & 9681 of 2022

Mariammal

: Petitioner

Vs.

1. The Joint Director of School Education,
(Personnel), Chennai 6.

2. The Chief Educational Officer,
Ramanathapuram.

3. The District Educational Officer,
Paramakudi, Ramanathapuram District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned proceedings issued by the 1st respondent in his proceedings in Rc.No.17214/A3/S3/2021, dated 21.06.2022 and quash the same as illegal.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.M.Senthil Ayyanar
Government Advocate



W.P.(MD)No.13628 of 2022

WEB COPY

ORDER

The instant writ petition has been filed challenging the proceedings in Rc.No.17214/A3/S3/2021, dated 21.06.2022 passed by the first respondent/ the Joint Director of School Education (Personnel), Chennai.

2. The learned counsel for the petitioner and the learned Government Advocate for the respondents are present.

3. The learned counsel for the petitioner submitted that there are two criminal cases registered against the petitioner and she was suspended before nine days of her retirement. It is the contention of the learned counsel for the petitioner that before the issuance of the suspension order, she was not issued with any charge memo and further, there is no specific complaint mentioned in the impugned suspension order as alleged during the investigation and therefore, the suspension order issued by the respondents violates G.O.Ms.No.111, Human Resources Department, dated 11.10.2021.



W.P.(MD)No.13628 of 2022

WEB COPY

4. Mr.M.Senthil Ayyanar, the learned Government Advocate appearing for the respondents submitted that a detailed inquiry had been conducted against the petitioner and the inquiry report was also submitted and only due to the pendency of the trial in the criminal cases, the respondents are not in a position to pass appropriate orders.

5. The pendency of the trial in the criminal cases will not be an impediment to the respondents to pass the orders based on an inquiry report submitted by the Inquiry Officer.

6. In view of the above, this writ petition stands dispose of with a direction to the third respondent to pass appropriate orders, on the inquiry report submitted by the Inquiry Officer, within a period of ten weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed. No costs.

01.10.2024

Index : Yes / No
Internet : Yes / No



PKN
WEB COPY



W.P.(MD)No.13628 of 2022



W.P.(MD)No.13628 of 2022

To

WEB COPY

1. The Joint Director of School Education,
(Personnel), Chennai 6.
2. The Chief Educational Officer,
Ramanathapuram.
3. The District Educational Officer,
Paramakudi, Ramanathapuram District.



WEB COPY



W.P.(MD)No.13628 of 2022

J.SATHYA NARAYANA PRASAD, J.

PKN

W.P.(MD) No.13628 of
2022

01.10.2024