



W.P.(MD)No.18631 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.12.2024

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P.(MD)No.18631 of 2022**  
**and**  
**W.M.P.(MD)No.13566 of 2022**

T.Karnan

... Petitioner

versus

1. The Chief Educational Officer,  
Ramanathapuram Collectorate Complex,  
Ramanathapuram,  
Ramanathapuram District.
2. The District Educational Officer,  
Ramanathapuram Collectorate Complex,  
Ramanathapuram,  
Ramanathapuram District.
3. The Headmaster,  
Government Higher Secondary School,  
Anandur Village,  
R.S.Mangalam Taluk,  
Ramanathapuram District.
4. The Headmaster,  
Government Higher Secondary School,  
Thirupalaikudi Village,  
R.S.Mangalam Taluk,  
Ramanathapuram District.

... Respondents



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Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the order as made in Na.Ka.No.9490/Aa5/2018 dated 02.08.2021 passed by the 1<sup>st</sup> respondent and quash the same as illegal with regard to the observation of the 1<sup>st</sup> respondent to enter his condemn in the service register of the petitioner with regard to his earlier alleged inefficiency in teaching the students at Government High School, Peravoor, Ramanathapuram District and also further direct the 1<sup>st</sup> respondent to instruct the 4<sup>th</sup> respondent to get and disburse the arrears of salary to the petitioner during the suspension period from 12.10.2018 to 21.11.2018 forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.K.Balasubramani,  
Special Government Pleader

### **ORDER**

The petitioner, who was working as B.T. Assistant in the Government High School, Peravoor, was dealt with a disciplinary proceedings under Rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1953 and thereafter, he was imposed with a punishment of censure, by order dated 02.08.2021 issued by the first respondent, namely, the Chief



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Educational Officer, Ramanathapuram. Challenging the same, the present writ petition has been filed.

2. As against the order of punishment dated 02.08.2021 issued by the Chief Educational Officer, Ramanathapuram, the petitioner is having an appeal remedy before the Directorate of School Education, Chennai, under Rule 19 of the Tamilnadu Civil Services (Discipline and Appeal) Rules, 1953. However, the appeal remedy has not been stated by the Chief Educational Officer, in his order dated 02.08.2021.

3. Since the petitioner is having an efficacious appeal remedy before the Directorate of School Education, Chennai, this Court, without expressing anything on merits of the case, is inclined to dispose of the writ petition, with liberty to the petitioner to invoke the statutory appeal remedy before the Directorate of School Education, Chennai, which is available under Rule 19 of the Tamilnadu Civil Services (Discipline and Appeal) Rules 1953.



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4. Accordingly, this writ petition is disposed of with liberty to the petitioner to invoke the statutory appeal remedy before the Directorate of School Education, Chennai, which is available under Rule 19 of the Tamilnadu Civil Services (Discipline and Appeal) Rules, within a period of six weeks from the date of receipt of a copy of this order.

5. Since the right of appeal has not been stated by the Chief Educational Officer in his order dated 02.08.2021, the Directorate of School Education, Chennai, shall entertain the appeal, without insisting on the limitation period. No costs. Consequently, connected miscellaneous petition is closed.

**03.12.2024**

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Principle Secretary to Government,  
1. The Chief Educational Officer,  
Ramanathapuram Collectorate Complex,  
Ramanathapuram,  
Ramanathapuram District.

2. The District Educational Officer,

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Ramanathapuram,  
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**B.PUGALENDHI, J.**

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