



**W.A.(MD) No.300 of 2024**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 12.09.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN  
and  
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD)No.300 of 2024  
and  
C.M.P.(MD) No.2854 of 2024**

M.Stephen

... Appellant

-vs-

1.The District Educational Officer,  
Thoothukudi,  
Thoothukudi District.

2.The Manager of R.C. Schools,  
Tuticorin Diocesan Association Society,  
Catholic Bishop House,  
Thoothukudi - 628 001.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to allow this Writ Appeal by setting aside the order, dated 07.03.2022, passed in W.P.(MD)No. 17720 of 2018.



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For Appellant : Mr.K.Gurunathan  
For R1 : Mr.S.P.Maharajan  
Special Government Pleader  
For R2 : Fr.S.Savarimuthu  
for M/s.Father Xavier Associates

### **JUDGMENT**

**[Judgment of the Court was made by R.SUBRAMANIAN, J.]**

The appellant is aggrieved by the order of the Writ Court, dismissing his Writ Petition in W.P.(MD)No.17720 of 2018.

2. The challenge in the Writ Petition was to the order of the appellate authority, which rejected the appellant's appeal against the order of the original authority, dated 20.03.2012, imposing a punishment of stoppage of increment for one year with cumulative effect on him for certain proved delinquencies. The Writ Court dismissed the Writ Petition, concluding that the delinquencies, including the misappropriation of funds belonging to Adi-Dravidar students, were established. The Writ Court also noted that the disciplinary authority followed the prescribed procedure, conducting an inquiry through an Enquiry Officer and



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providing the petitioner with the opportunity to respond to the findings.

Aggrieved, the petitioner has filed the present appeal.

3. The learned counsel for the appellant would vehemently contend that the orders of both the disciplinary authority as well as the appellate authority are sans reasons and that the objections of the appellant were not properly considered. The learned counsel for the appellant would also vehemently contend that the orders are laconic and non-speaking and therefore, should be set aside on the sole ground that no reasons were provided for imposing the punishment.

4. Contending contra, the learned counsel for the second respondent Management would submit that given the seriousness of the charges against the appellant, an Enquiry Officer was appointed. After conducting an enquiry, the Enquiry Officer found the appellant guilty of most of the charges. The appellant was given an opportunity to defend himself after furnishing the enquiry report. The appellant also submitted his explanation. After considering the explanation, the disciplinary authority concluded that there were no grounds to differ from the Enquiry Officer's findings. Taking a lenient view, the disciplinary authority had



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imposed a punishment of stoppage increment for a period of one year with cumulative effect. The appellate authority also affirmed the said conclusion.

5. We have seen the orders of the authorities. The disciplinary authority as well as the appellate authority are only quasi judicial authorities and they are discharging their official functions. They are not expected to write judgments; rather, they are required to issue orders based on the disciplinary proceedings. The original authority found the appellant's explanation unsatisfactory and determined that there were no grounds to differ from the Enquiry Officer's findings, which concluded that the appellant was guilty of many of the charges. On appeal by the appellant, the appellate authority has also confirmed the same.

6. A reading of the orders of the authorities reveals that they applied their mind to the charges and after considering the explanation, reached a conclusion regarding the quantum of punishment. The Writ Court also noted that the quantum of punishment is quite meager in light of the proved delinquencies.



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7. In the above backdrop, we do not think that there are grounds to interfere with the appeal. Despite his valiant efforts, the learned counsel for the appellant is unable to demonstrate that the orders are laconic. We find that some reasons have been assigned for imposing the punishment. However, we cannot evaluate the sufficiency of those reasons. Once a disciplinary enquiry has been conducted and the appellant was given a full opportunity to defend himself, we do not think we can fault the authorities or the Writ Court for having dismissed the challenge of the appellant. Therefore, we see no reason to interfere. The Writ Appeal fails and it is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : No  
Index : No  
smn2

[R.S.M., J.] [L.V.G., J.]  
12.09.2024

To

The District Educational Officer,  
Thoothukudi,  
Thoothukudi District.



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