



W.A(MD)No.2108 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM:

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

W.A(MD)No.2108 of 2024

and

C.M.P.(MD)Nos.14943 and 14944 of 2024

The Secretary,
Ganapathy Middle School,
Papankulam, Kadayam,
Tenkasi District.

... Appellant / 3rd Respondent

-VS-

1.The District Education Officer
(Elementary Education),
District Education Office,
Tenkasi.

2.The Block Education Officer-I,
Block Education Officer,
Kadayam,
Tenkasi District.

... Respondents 1 and 2 /
Respondents 1 and 2

3.S.Packiyanathan

... 3rd Respondent / Petitioner

PRAYER: Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 11.07.2024 in W.P.(MD)No.11281 of 2024.

For Appellant : Mr.S.Chellapandian

For R-1 & R-2 : Mr.S.P.Maharajan,



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Special Government Pleader

For R-3 : Mr.S.Srikanth

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JUDGMENT

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

We don't propose to interfere with the order of the writ court. In fact the 3rd respondent was charge sheeted on 02.04.2024, explanation was submitted on 18.04.2024, but the Disciplinary Authority passed orders on 15.05.2024. In the interregnum, the 3rd respondent retired on 30.04.2024. The appellant being a private employer has no right to continue the disciplinary proceedings after retirement of the employee. The Writ Court has interfered only on the said ground. Hence, we see no reason to interfere with the order of the Writ Court.

2. The writ appeal therefore stands dismissed. All benefits payable to the employee shall be paid within a period of twelve (12) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

29.10.2024

NCC :Yes/No
Index :Yes/No
Internet: Yes
Sml



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To

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- 1.The Additional Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai-9.
- 2.The Commissioner,
Hindu Religious and Charitable Endowment,
Uthamar Gandhi Salai,
Nungampakkam,
Chennai.



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