



Crl.O.P.(MD)No.22572 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.22572 of 2024

Gayathiri

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Superintendent of Police,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Virudhunagar District.

3.The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.

4.Subbaraj

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the respondents 1 and 2 to instruct the third respondent not to harass the petitioner under the guise of enquiry without following due process of law.

For Petitioner : Mr.K.Dinesh

For R1 to R3 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

The petitioner, who is the Principal of CEOA Pathinma Higher Secondary School, Kariyapatti, has filed this petition seeking protection from harassment by the respondent Police, allegedly at the instigation of the fourth respondent.

2. The fourth respondent's daughter, a Class 12 student, had a dispute with one of her classmates. As the Principal, the petitioner called the student for an enquiry and, afterward, asked her to sit alone to reflect on her mistake. This action, however, offended the student, who complained to her parents. The fourth respondent, who is a history-sheeter, reportedly entered the school, verbally abused the Principal and other teachers in front of the students, and is now pressuring the school to issue a Transfer Certificate (T.C.) so that his daughter can transfer to another institution.

3. The learned counsel for the petitioner contends that, as a 12th standard student, her name has already been registered with the School Education Department, and her participation in the upcoming exams is



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essential. Therefore, the petitioner asserts that the T.C. cannot be issued. Despite the same, the fourth respondent, through the third respondent, is forcing the school to issue the Transfer Certificate.

4. The learned Additional Public Prosecutor submitted that two complaints (C.S.R.Nos.541 and 550 of 2024) are pending, and the petitioner was called for enquiry. The petitioner, however, failed to appear and has since claimed that the enquiry constitutes harassment. It is noted that the issue involves a student, and one of the parents has lodged a complaint against the Principal. It is also seen that the student is in Class 12, which is a crucial class in her career, and has only about 60 days left before the public examinations, it may not be appropriate to call the Principal or the student to the Police Station at this time.

5. In light of the above, this Court directs that the fourth respondent, along with her daughter, and the petitioner, both appear before the Chief Educational Officer (CEO) in the Collectorate Office Campus, Virudhunagar, on **30.12.2024**. The CEO, Virudhunagar, is directed to conduct an enquiry and resolve the dispute between the



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petitioner and the fourth respondent, ensuring that the student can appear for her exams. Furthermore, the respondent Police are instructed not to exert any pressure or harass the petitioner in connection with the institution. The matter will be left for the Chief Educational Officer, Virudhunagar, to decide.

6. With the above direction, this Criminal Original Petition is disposed of.

NCC : Yes / No

20.12.2024

Index : Yes / No

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Note:- Issue order copy on 24.12.2024.

Copy to:-

The Chief Educational Officer,
Virudhunagar District.

To

1.The Superintendent of Police,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Virudhunagar District.

3.The Inspector of Police,
Kariyapatti Police Station,
Virudhunagar District.



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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Order made in
Crl.O.P.(MD)No.22572 of 2024

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