



WEB COPY



W.A.No.1663 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.SURENDER

W.A.No.1663 of 2025

R.Elangovan

...Appellant

Vs.

1.State of Tamil Nadu Rep. by its
Principal Secretary to Government,
School Education Department,
Secretariat, Chennai – 600 009.

2.Director,
State Council for Education,
Research & Training,
Chennai – 600 006.

...Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed by the Court in W.P.No.19666 of 2015 dated 25.09.2024.

For Appellant : Mr.V.Sivalingam

For Respondents : Mr.D.Ravichander,
Special Government Pleader



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J U D G M E N T

WEB COPY (Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

Challenge is to the order of the writ Court made in W.P.No.19666 of 2015 dated 25.09.2024.

2. Challenge in the Writ Petition was to the punishment imposed on the appellant viz., stoppage of increment for a period of three years with cumulative effect. The charges against the appellant were that when he went as a head of the group of teachers, who were asked to assess the students of a Teachers Training Institution. All of them connived together and awarded same marks to all the 77 students of the Institution viz., 13 out of 25.

3. The appellant along with the other teachers was charge sheeted and main charge that was levied against the appellant was that he as the head of the group induced or influenced other teachers to give uniform marks to all the students irrespective of merits. The enquiry officer found that the charge Nos.2 and 3 were proved and the disciplinary Authority



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accepted the report of the enquiry officer and imposed a punishment of reversion.

4. On appeal, the appellate Authority, however, reduced the punishment of reversion to one of stoppage of increment for three years with cumulative effect, in so far as the appellant was concerned. As regards the other teachers who were part of the group, the appellate Authority on the conclusion since they acted upon the instruction of the appellant, they cannot be held wholly responsible for the third charge also and hence reduced the punishment to one of censure from that of stoppage of increment.

5. The writ Court agreed with the conclusion of the appellate Authority and also held that the punishment imposed is commensurate with the seriousness of the proved charges. On the said conclusion, the writ Court refused to interfere, paving way to this challenge.



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6. The learned counsel for the appellant would vehemently

contend that when other teachers who were also guilty were favoured with lesser punishment, the appellant alone has been singled out with harsh punishment.

7. We are unable to agree with the said contention. The appellate Authority while reducing the punishment to other teachers had specifically adverted to the fact that the appellant as the leader of the group had influenced other teachers and that by itself had been made a ground for reduction of punishment to other teachers. Therefore, reduction of punishment to other teachers being based on an intelligible *differentia* cannot be cited by the appellant to claim a lesser punishment. The writ Court had in fact gone into the question and held that appellant being guilty of not only awarding uniform marks to all the students irrespective of merits, but, also of influencing other teachers to award same marks has to be definitely teated on a different plank.



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8. Therefore, the Writ Appeal fails and it is accordingly

dismissed. No costs.

dsa

Index : No

Neutral Citation : No

Speaking order

To

1.Principal Secretary to Government,
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Secretariat, Chennai – 600 009.

2.Director,
State Council for Education,
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Chennai – 600 006.

(R.S.M.,J.) (K.S.,J.)

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and
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