



W.P.No.25932 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.25932 of 2023

J. Sumathi

...Petitioner

Vs

1. The Director of School Education,
College Road, Chennai – 600 006.

2. The Joint Director of School Education,
College Road, Chennai – 600 006.

3. The Chief Educational Officer,
Ranipet District, Ranipet.

4. The Secretary, Board of Higher Secondary
Examination, Directorate of Government Examinations
DPI Campus, College Road, Nungambakkam,
Chennai- 600 006

(Impleaded as per order dated 03.03.2025
in WP.No.25932 of 2023 by VBSJ)

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of rejection of the appeal passed by the second respondent in Na.Ka.No.28804/C3/E2/2022 dated 16.03.2023 by confirming the order of removal from service passed by the 3rd respondent in Na.Ka.No.1467/A3/2021 dated 11.07.2022 and quash the same and further direct the second and third respondents to reinstate the petitioner in service and to pay all service benefits and monetary benefits



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to the petitioner within the stipulated period fixed by this Hon'ble Court and pass orders.

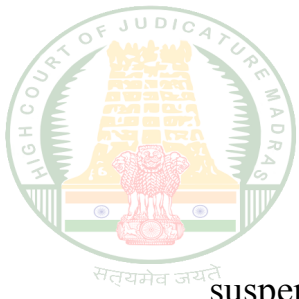
For Petitioner : Mr.C. Samivel

For Respondents : Mr.S.Prabhakaran
Government Advocate

ORDER

This petition is filed seeking to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of rejection of the appeal passed by the second respondent in Na.Ka.No.28804/C3/E2/2022 dated 16.03.2023 by confirming the order of removal from service passed by the 3rd respondent in Na.Ka.No.1467/A3/2021 dated 11.07.2022 and quash the same and further direct the second and third respondents to reinstate the petitioner in service and to pay all service benefits and monetary benefits to the petitioner within the stipulated period fixed by this Hon'ble Court

2. The facts of the case is that the petitioner is working as a B.T.Assistant in Government Girls Higher Secondary School, Nemili, Ranipet District. Whiles, the 3rd respondent has issued a suspension order under Sub Rule 17C (i) of Tamil Nadu Civil Service (Discipline and Appeal and Rules) in R.C.No.1467/2021 dated 08.04.2021. In the



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suspension order they have stated that the Subsistence Allowance and Dearness Allowance will be paid to the petitioner as per the Fundamental Rule 53(1), but the respondents failed to pay the subsistence allowance. Hence, the petitioner gave a representation to the District Educational Officer, Arakkonam, Ranipet District on 10.08.2021, 16.09.2021 and 15.11.2021. However, the same was not considered, due to which the petitioner filed W.P.No.5663 of 2022 directing the respondents 1 and 3 to consider the representation of the petitioner and this Court vide order dated 14.03.2022 disposed of the writ petition with a direction to the first and second respondents therein to consider the representation of the petitioner on its own merits and in accordance with law as expeditiously as possible preferably within a period of 8 weeks from the date of receipt of a copy of that order. Pursuant to which the 3rd respondent rejected the petitioner's claim of subsistence allowance and dearness allowance on 29.04.2022 stating that, "The petitioner did not pass 12th Standard and she did not produce any pass out certificate before the 2nd respondent as well as the Enquiry Officer" and concluded that as per the Enquiry report, the petitioner is unfit for the post of B.T.Assistant. Hence, the claim has been rejected. Subsequent to which the 3rd respondent removed



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the petitioner from service. Hence, the petitioner filed an appeal on 01.09.2022 before the 2nd respondent. To dispose the appeal expeditiously the petitioner has filed W.P.No.30039 of 2022 and this Court vide order dated 01.09.2022 disposed of the writ petition with a direction to the second respondent to pass final orders on the petitioner's appeal on merits and in accordance with law. Pursuant to which the second respondent has passed an impugned order in Na.Ka.No.28804/C3/2022 on 16.03.2022, wherein they have confirmed the order of removal from service. Aggrieved over the same the petitioner has come up with this petition.

3. The learned counsel for the petitioner submitted that the second respondent had not taken into consideration that only after scrutinizing the entire certificates of the petitioner, appointment order was issued to the petitioner. He further submitted that without verifying the documents have unilaterally come to the conclusion that the document is fake which is not fair. Hence, prays to allow this petition.

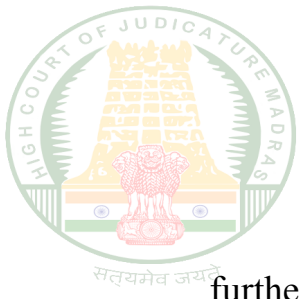


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4. The learned Government Advocate appearing for the third respondent has filed a counter affidavit, wherein, it has been stated that the petitioner has produced a bogus certificate at the time of her appointment. The following table clearly shows that she was made correction in her certificate:

<i>Details mentioned in Official Records</i>		<i>Details mentioned in Certificate given by the petitioner</i>	
<i>Name</i>	<i>J. sumathi</i>	<i>Name</i>	<i>J.Sumathi</i>
<i>Reg. No./Session Year</i>	<i>867164/Mar 1995</i>	<i>Reg. No./Session Year</i>	<i>867164/Mar 1995</i>
<i>Certificate SI.No.</i>	<i>AB1500767</i>	<i>Certificate SI.No.</i>	<i>AB1500767</i>
<i>Group Code</i>	<i>506</i>	<i>Group Code</i>	<i>506</i>
<i>Date of Birth</i>	<i>09.06.1976</i>	<i>Date of Birth</i>	<i>09.06.1976</i>
<i>TMR Code No.</i>	<i>G 281449</i>	<i>TMR Code No.</i>	<i>G 281449</i>
<i>School/ Private</i>	<i>Private</i>	<i>School/ Private</i>	<i>Private</i>
<i>Subject</i>		<i>Subject</i>	
*****		*****	
*****		*****	
<i>Physics</i>	<i>057</i>	<i>Physics</i>	<i>097</i>
<i>Chemistry</i>	<i>043</i>	<i>Chemistry</i>	<i>083</i>
<i>Botony</i>	<i>064</i>	<i>Botony</i>	<i>084</i>
*****		*****	
<i>Total</i>	<i>0164</i>	<i>Total</i>	<i>0264</i>

The above table clearly shows that the marks were corrected by the petitioner. Hence, the petitioner was not eligible for appointment. It is



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further stated that the allegations levelled against the petitioner was confirmed. Hence, the 3rd respondent has initiated proceedings against the petitioner in R.C.No.1467/A3/2021 dated 08.04.2021 and she was suspended from service under the section Sub Rule 17(3)(1) (i) of Tamil Nadu Civil Service (Discipline and Appeal And Rules) and the same was confirmed by the second respondent in Na.Ka.No.28804/C3/E2/2022 dated 16.03.2023 which is perfectly valid and there is no necessity to interfere with the same. It is further stated that a teacher who secure appointment/received promotion or incentive increment by producing bogus educational certificate, can never be excused nor be granted with the relief merely on the ground that they continued in service under the cover of continuous litigious. Hence, prays to dismiss this petition.

5.This Court vide order dated 24.03.2025 appointed an Advocate Commissioner to find out as to whether the petitioner is involved in tampering of mark sheets, and file a report before this Court on 08.04.2025. When the matter is taken up for hearing the learned Advocate Commissioner produced a letter of the Deputy Director dated 03.04.2025, wherein it was stated that they require further time to



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complete the examination process. Hence, this Court granted further time and directed the Registry to list the matter today i.e 17.04.2025.

6. When the matter is taken up for hearing on 17.04.2025 the Advocate Commissioner produced the report of the Forensic Sciences Department dated 08.04.2025 in Report No.T.No.3749/2025 Doc.No.82/2025 and the same is extracted hereunder:

1. In the present red enclosed printed matter stamped and marked Q1(097), the 10th digit printed numeral '9' has been made after mechanically erasing the previous printed numeral which could not be deciphered. No alteration in the 1st digit printed numeral '7' and the 100th digit printed numeral '0'

1.(a) In the present red enclosed printed matter stamped and marked Q1 [097], the printer used for making the 10th digit printed numeral '9' [which was made after mechanically erasing] is differ from the printer used for making the 1st digit printed numeral '7' and the 100th digit printed numeral '0'

2. In the present red enclosed printed matter stamped and marked Q3 [NINE], the 1st and 3rd position printed letters 'N' have been made after mechanically erasing the previous printed matter which could not be deciphered. No alteration in the 2nd and 4th position printed letters 'T' & 'E'

2.(a) In the present red enclosed printed matter stamped and marked Q3 [NINE], the printer used for making the 1st and 3rd position printed letters 'N' (which were made after mechanically erasing) are



differ from the printed used for making the 2nd and 4th position printed letters I & E in Q3 and the red enclosed printed matter stamped and marked Q2 (ZERO) and Q4 (SEVEN)

3. In the present red enclosed printed matter stamped and marked Q5 [083], the 10th digit printed numeral '8' has been made after mechanically erasing the previous printed numeral which could not be deciphered. No alteration in the 1st digit printed numeral '3' and the 100th digit printed numeral '0'

3(a) In the present red enclosed printed matter stamped and marked Q5 [083], the printer used for making the 10th digit printed numeral '8' [which was made after mechanically erasing] is differ from the printer used for making the 1st digit printed numeral '3' and the 100th digit printed numeral '0'

4. The present red enclosed printed matter stamped and marked Q7 [EIGHT] has been after mechanically erasing the previous printed matter, which could not be deciphered.

4.(a) The printer used for making the red enclosed printed matter stamped and marked Q7 [EIGHT which was made after mechanically erasing] is differ from the printer used for making the red enclosed printed matter similarly stamped and marked Q6[ZERO] and Q8 [THREE]

5. In the present red enclosed printed matter stamped and marked Q9 [084], the 10th digit printed numeral '8' has been made after mechanically erasing the previous printed numeral, which could not be deciphered. No alteration in the 1st digital printed numeral '4' and the 100th digit printed numeral '0'.

5(a). In the present red enclosed printed matter stamped and marked Q9[084], the printer used for



making the 10th digit printed numeral '8' [which was made after mechanically erasing] is differ from the printer used for making the 1st digit printed numeral '4' and the 100th digit printed numeral '0'.

6. The present red enclosed printed matter stamped and marked Q11 [EIGHT] has been made after mechanically erasing the previous printed matter which could not be deciphered.

6.(a) The printer used for making the red enclosed printed matter stamped and marked Q11 [EIGHT, which was made after mechanically erasing] is differ from the printer used for making the red enclosed printed matter similarly stamped and marked Q10 [ZERO] and Q12[FOUR]

7. In the present red enclosed printer matter stamped and marked Q13 [0264], the 100th digit printed numeral '2' has been made after mechanically erasing the previous printed numeral which could not be deciphered. No alteration in the 1st digit printed numbered '4', 10th digit printed '6' and the 1000th digit printed numeral '0'

7.(a) In the present red enclosed printed matter stamped and marked Q13 [0264], the printer used for making the 100th digit printed numeral '2' [which was made mechanically erasing] is differ from the printer used for making the 1st digit printed numeral '4', 10th digit printed numeral '6' and the 1000th digit printed numeral '0'.

8. The present red enclosed printed matter stamped and marked Q15 [TWO] has been made after mechanically erasing the previous printed matter which could not be deciphered.

8.(a) The printer used for making the red



enclosed printed matter stamped and marked Q15 [TWO, which was made after mechanically erasing] is differ from the printer used for making the red enclosed printed matter similarly stamped and marked Q14 [ZERO], Q16[SIX] and Q17[FOUR].

9. No alteration found [among printed letters] in the red enclosed printed matter stamped and marked Q2 [ZERO], Q4 [SEVEN], Q6,[ZERO],Q8 [THREE], Q10 [ZERO],Q12[FOUR],Q14[ZERO], Q16[SIX] and Q17[FOUR].

7.On going through the report of the Foresnic Sciences Department dated 08.04.2025, it is made clear that the petitioner has produced a fake certificate of mark sheet which was considered by the officials who have colluded with other Government officials to produce the forged mark sheet and obtained an employment. The teacher had been teaching for so many years based on the said forged certificate, which is illegal. The said facts were unearthed by this Court by sending the said certificate to the Forensic Department, which shows that the petitioner is not innocent but with ulterior motives produced the said mark sheet and gained employment. Hence, this Court directs the authorities to proceed further in the manner known to law against the said teacher and other officials, who were responsible for this illegal act.



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8. In view of the above facts, it is made clear that there is no merits in the submission made by the petitioner. Hence, this Court is not inclined to interfere with the impugned orders passed earlier and the same is confirmed. In the result this writ petition is dismissed and the impugned order of rejection of the appeal passed by the second respondent in Na.Ka.No.28804/C3/E2/2022 dated 16.03.2023 is confirmed. No costs. The additional remuneration of Rs.10,000/- should be paid by the School Education Department to Mr.Kousik, Advocate Commissioner within June 30, 2025.

25.04.2025

Index:Yes/No
Speaking order/Non-speaking order
smn



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To
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1. The Director of School Education,
College Road, Chennai – 600 006.
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Ranipet District, Ranipet.
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V.BHAVANI SUBBAROYAN,J.

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