



W.P No.23977 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.23977 of 2025

and

Writ Miscellaneous Petition No.26958 of 2025

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... Petitioner

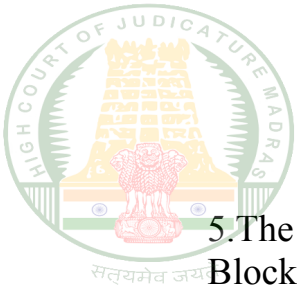
..Vs..

1.The Director of Elementary Education,
Perasiriyar Anbalagan Valagam,
DPI Complex,
Nungambakkam, Chennai.

2.The Joint Director of Elementary Education,
(Administration),
Perasiriyar Anbalagan Valagam,
DPI Complex,
Nungambakkam, Chennai.

3.The Chief Educational Officer,
School Education Department,
Salem District, Salem.

4.The District Educational Officer,
District Educational Office,
Elementary Education,
Tharamangalam Educational District,
Salem District.



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5.The Block Educational Officer,
Block Educational Office,
Elementary Education,
Tharamangalm Educational District,
Salem District.

6.Enquiry Officer Cum Block Educational Officer,
Tharamangalm Educational District,
Magudamsavadi, Salem District.

7.The Head Master,
Panchayat Union Elementary School,
Poosarivalavu, Mecheri Union,
Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records pertain to the impugned order passed by the 4th respondent through his proceedings vide न.क.गण.927/अ2(अ3)/2024 dated 14.03.2025 and consequently quash the same as illegal and consequently direct the respondents to reinstate me into the service with backwages and consequential benefits.

For Petitioner : Mr.I.Kanna Patel

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER



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The present writ petition has been filed with a prayer to quash the impugned proceedings in vide न.क.गण.927/ अ2(अ3)/2024 dated 14.03.2025 passed by the 4th respondent.

2. The learned counsel appearing on behalf of the petitioner would submit that the petitioner has been illegally dismissed from service and the Enquiry Officer has also failed to enquire the student, who made a complaint against the petitioner.

3. At this juncture, the learned Special Government Pleader would invite the attention of this Court that the petitioner has parallelly preferred an appeal before the Appellate Authority, vide his appeal dated 21.05.2025 and that according to the Service Rules, appeal remedy is also provided to the petitioner.

4. I have given my anxious consideration on either side submissions.

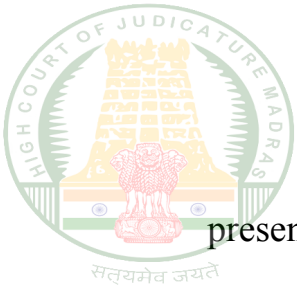


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5. It is well settled principles of law that mere existence of an alternative remedy is not a bar for filing a writ petition. However, only under the limited circumstances, and when there was a violation of fundamental rights, when natural justice was not followed and, while the order issued by an incompetent person, writ petition under Article 226 of Constitution of India, can be filed.

6. Here, according to the submissions of the learned counsel for the petitioner those grounds have not been urged. On the other hand, the learned counsel would submit that the Enquiry Officer Report is not supported by the materials available on record. This aspect can only be adjudicated by the Appellate Authority, and as rightly contended by the learned Special Government Pleader, when there is an Appellate remedy provided, the petitioner cannot invoke the writ jurisdiction. The learned Special Government Pleader would further invite the attention of this Court that the impugned order has reference about the appellate remedy.

7. In such view of the matter, this Court do not find any merits in the



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present writ petition and the same is liable to be dismissed.

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8. In the result, the present writ petition is dismissed as the petitioner has already chosen the alternative remedy. However, this Court would like to issue a direction to the Appellate Authority to dispose of the appeal as expeditiously as possible. No costs. Consequently, the connected miscellaneous petition stands closed.

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Index : Yes

Speaking Order : Yes /No

Neutral Citation Case: Yes/No

To:

1.The Director of Elementary Education,

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C. KUMARAPPAN, J.

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