



W.P.No.36737 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.10.2025

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

**W.P.No.36737 of 2025
W.M.P.Nos.41093 & 41094 of 2025**

S.A.Rajkumar

... Petitioner

Versus

- 1.The Director of School Education,
Perasiriyar Anbalagan Valaagam,
DPI Complex, Nungambakkam, Chennai.
- 2.The Joint Director of School Education (personnel)
Perasiriyar Anbalagan Valaagam,
DPI Complex, Nungambakkam, Chennai.
- 3.The Chief Educational Officer
School Education Department, Coimbatore.
- 4.The Headmaster,
Government Higher Secondary School,
Alandurai Coimbatore.

.. Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the suspension order vide R.C.No.641/B1/2023, dated 22.12.2023 passed by the 3rd respondent, quash the same as illegal and consequently direct the respondents to reinstate the petitioner into the service along with backwages.



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For Petitioner : Mr.T.Indrachithu

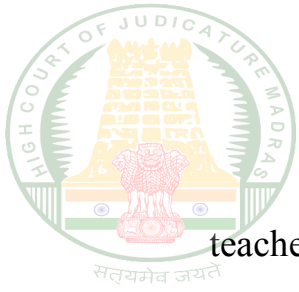
For Respondents : Mrs.S.Mythreye Chandru,
Special Government Pleader(E) for R1 to R4

ORDER

Challenging the order of suspension passed by the 3rd respondent dated 22.12.2023, the present writ petition is filed by the petitioner.

2. By consent, the main writ petition itself is taken up for final disposal at the admission stage.

3.The petitioner was appointed as Art Teacher in the Government Higher Secondary School, Thummanatty, Connur Taluk, Nilagiri District on consolidated payment and his service was regularised on 01.06.2006. Thereafter, he was transferred to various schools and finally, while he was working in the 4th respondent-Government Higher Secondary School, Alandurai, Coimbatore, from 14.03.2022, a complaint was lodged by a girl student and pursuant to the same, a case in Crime No.32 of 2023 under Sections 10, 21(2) and 9(f) of the POCSO Act was registered against the PET Teacher one Anandhakumar. Since the petitioner had assisted the victim for reporting about the incident to the authorities concerned, all the

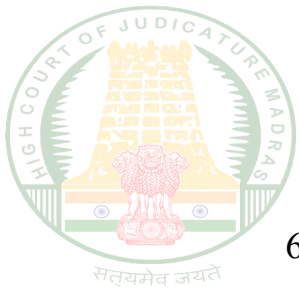


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teachers and Headmaster working in the 4th respondent school developed a grudge against him and thereafter, on a complaint given by them, the petitioner was suspended from service on 22.12.2023. The petitioner was not issued with a charge memo prior to the action and hence, he had approached this Court by way of the present writ petition assailing the suspension order.

4.The very same suspension order dated 22.12.2023 has been challenged by the petitioner in W.P.No.2505 of 2024 and this Court, while dismissing the writ petition *vide* order dated 06.02.2024, observed that this Court does not find any infirmity or illegality in the order passed by the 3rd respondent herein and directed the disciplinary authorities to serve charge memo on him and complete the disciplinary proceedings within a period of six months from the date of receipt of a copy of this order.

5.Pursuant to the order passed by this Court on 06.02.2024, an Enquiry Officer was appointed and a charge memo dated 17.04.2024 was issued to the petitioner and after enquiry, the petitioner was compulsorily retired from service *vide* order of the 3rd respondent dated 10.12.2024.



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6. Challenging the punishment of compulsory retirement, the petitioner

had filed an appeal before the 2nd respondent contending that since the enquiry was conducted against the principles of natural justice, the same was vitiated. The appellate authority had set aside the order passed by the 3rd respondent and remitted the matter for fresh enquiry directing the respondents to appoint a new enquiry officer. Pursuant to the said order, new enquiry officer was appointed. At this stage, the petitioner has filed the present writ petition seeing to set aside the order of suspension passed by the 3rd respondent.

7. Heard both sides and perused the materials available on record.

8. Learned Special Government Pleader appearing for the respondents would submit that the Chief Educational Officer, Erode has appointed as an Enquiry Officer and the Enquiry Officer is proceeding with the enquiry, but the petitioner is not co-operating in the enquiry.

9. It is the case of the respondents that since the petitioner is not co-operating in the enquiry, the Enquiry Officer is unable to complete the same. In such view of the matter, I do not find any infirmity or illegality in



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the order of suspension passed by the 3rd respondent and the writ petition is dismissed. However, a direction is issued to the Enquiry Officer to complete the enquiry within a period of two months from the date of receipt of a copy of this order after affording an opportunity to the petitioner. No costs. Consequently, connected miscellaneous petitions are closed.

07.10.2025

raa

To

- 1.The Director of School Education,
Perasiriyar Anbalagan Valaagam,
DPI Complex, Nungambakkam, Chennai.
- 2.The Joint Director of School Education (personnel)
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A.D.JAGADISH CHANDIRA,J.

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W.P.No.37411 of 2025

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