



W.P.No. 37963 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.10.2025

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THE HONOURABLE Mr. JUSTICE A.D. JAGADISH CHANDIRA

W.P.No. 37963 of 2025

&

W.M.P.No. 42398 of 2025

P. Newton Gabriel

...Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by its Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.

2.The Director

Directorate of Elementary Education,
DPI Complex,
College Road,
Chennai - 600 006.



W.P.No. 37963 of 2022

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3.The Joint Director (Administration)
Directorate of Elementary Education,
DPI Complex,
College Road,
Chennai - 600 006.

4.The Chief Educational Officer,
Education Department,
Bharathi Nagar,
Ranipet,
Ranipet District.

5.The District Educational Officer
(Elementary Education)
DEO Office,
Bharathi Nagar,
Ranipet,
Ranipet District - 632 403.

6.The Block Educational Officer - 2,
Arcot Block,
Ranipet District - 632 503.

7.A.Umapathy

...Respondents



W.P.No. 37963 of 2023

Prayer: Petition is filed under Article 226 of the Constitution of India, seeking Writ of Certiorari, to call for the records on the file of the 3rd respondent vide his proceedings Na.Ka. No.026981/ E3/ 2023 and quash the impugned order passed by the 3rd respondent dated 16.09.2025 and the consequential order of the 6th respondent in Na.Ka. No.444/A3/2025 dated 18.09.2025 as highly illegal, unconstitutional and unsustainable.

For Petitioner : Ms. Karthikaa Ashok

For Respondents : Mrs. S.Mythreye Chandru
1 to 6 Special Government Pleader
(Education)

ORDER

This writ petition is filed for the relief of issuance of writ of certiorari, to call for the records on the file of the 3rd respondent vide his proceedings Na.Ka. No.026981/ E3/ 2023 and quash the impugned order passed by the 3rd respondent dated 16.09.2025 and also the consequential order dated 18.09.2025 of the 6th respondent.



W.P.No. 37963 of 2025

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2. The case of the petitioner is that he is the Block Secretary of Tamil Nadu Thodakka Palli Aasiriyar Kootani and he has earlier challenged the wrong fixation of the staff in school in WP.No.14865 of 2025 and this Court directed the respondents to consider the petitioner's representation dated 18.02.2025 and 20.03.2025 and pass appropriate orders on merits, by order dated 28.04.2025.

3. While so, aggrieved by the action taken by the petitioner, the 6th respondent had issued show cause notices dated 03.04.2025 and 14.05.2025, to the petitioner. However, without giving an opportunity of hearing, the first impugned order dated 16.09.2025 has been passed by the 3rd respondent, holding that the charges against the petitioner have been proved.

4. The learned counsel for the petitioner would reiterate the contents of the affidavit filed in support of the Writ Petition and would



submit that the 3rd respondent is not the competent authority to pass orders and it is vitiated by bias. Therefore, the learned counsel seeks to set aside the impugned order dated 16.09.2025 and also the consequential order dated 18.09.2025 passed by the 6th respondent.

5. Per contra, Mrs. Mythreye Chandru, learned Special Government Pleader, appearing for the respondents 1 to 6, would submit that the petitioner is the Block Secretary of the Tamil Nadu Thodakka Palli Aasiriyar Kootani and he is very much involved in the association activities. She would submit that the petitioner was not discharging his duties properly and therefore, the impugned orders have been passed against him and there is no infirmity in the same.

6. Heard the learned counsel on either side and perused the records.

7. The petitioner had been earlier issued with a show cause notice and he has sent a reply dated 02.06.2025. While so, the 3rd respondent



W.P.No. 37963 of 2025

has passed the first impugned order dated 16.09.2025, holding the petitioner guilty of the charges and therefore, transferred him.

8. A mere perusal of the records would show that the petitioner has not been given an opportunity of hearing after issuance of a show cause notice dated 14.05.2025, for which a reply has been sent by the petitioner on 02.06.2025. The first impugned order reads that the charges against the petitioner have been proved.

9. In the opinion of this Court, the order passed by the 3rd respondent suffers from lack of jurisdiction and competence.

10. In view of the above, the impugned order is quashed. As a sequel, the consequential order dated 18.09.2025 is also quashed. The petitioner shall be retained in the same school. However, the respondents are at liberty to proceed against the petitioner, in accordance with law, following the principles of natural justice, if they so desire. Needless to state that the petitioner shall cooperate in the



W.P.No. 37963 of 2025

enquiry.

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11. With the above direction and observation the writ petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

13.10.2025

Index : Yes/No
Internet : Yes/No

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W.P.No. 37963 of 2022

To

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W.P.No. 37963 of 2025

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