



W.A.No.3207 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.A.No.3207 of 2025

S.Amutha .. Appellant
Vs.

1. The Joint Director (Personnel)
Directorate of Government Examination
DPI Campus, College Road, Nungambakkam
Chennai – 600 006.
2. The District Education Officer
Office of the District Education Officer
Collectorate Campus, Nagapattinam.
3. The District Elementary Education Officer
Office of the District Elementary Education Officer
Collectorate Campus, Nagapattinam. .. Respondents

Prayer: Appeal filed under Section 5 of the Limitation Act, against the order made in W.P.No.25469 of 2025 dated 23.09.2025.

For the Appellant : Mr.P.Chandrasekaran

For the Respondents : Mr.J.C.Durairaj
Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by R.SURESH KUMAR, J.)

The present intra-Court appeal has been directed against the order passed by the Writ Court dated 23.09.2025 made in W.P.No.25469 of 2025.



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2. The appellant was the writ petitioner, who claims to have studied Higher Secondary Course, thereafter, Diploma in Teacher Education Course. She completed the said Course and has secured Diploma Certificate from the School where she studied, namely, S.B.G. Teacher Training School, Mutharasa Nallur, Trichy District, during the year 1990.

3. After having completed the Course, that is Diploma in Teacher Education Course, she had joined as a Teacher, that is Secondary Grade Teacher, in an aided School, called the Chidambaranar Middle School, Orathur, Nagapattinam, where, she has been continuously working. After several years of service in the said School, since she wanted to retire voluntarily, she needed the genuineness certificate, which she sought for, however, the same has been rejected vide the proceedings dated 27.06.2025 issued by the first respondent, stating that the Diploma Certificate, which was fixed as the qualification, under which strength only she secured the job and worked as a Teacher, itself is a bogus certificate, as the said certificate has not been issued by the Official respondents, that is the Department of Education.



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4. Therefore, by the said order dated 27.06.2025, the first respondent has directed respondents 2 and 3 to initiate action against the writ petitioner/appellant, including action by setting the criminal law in motion, by filing a complaint before the concerned Police to enquire her.

5. Aggrieved over the said order, though the said writ petition was filed, the learned Writ Court, having considered the factual matrix, was pleased to dismiss the said writ petition, saying that, the proceedings dated 27.06.2025 is only a notice stage, where, enquiry alone has been contemplated against the appellant/writ petitioner and hence, this could be treated only as a premature writ petition and with regard to the disputed facts of question, the Writ Court, under Article 226 of the Constitution of India, could not go into those aspects and therefore, for these reasons, the learned Judge had dismissed the said writ petition through the impugned order.

6. We have heard *Mr.P.Chandrasekaran*, learned counsel for the appellant and *Mr.J.C.Durairaj*, learned Additional Government Pleader for the respondents.



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7.1. *Mr.P.Chandrasekaran*, learned counsel for the appellant

has pointed out that, mainly, the Writ Court has been swayed by the stand taken by the learned Government Advocate who appeared before the Writ Court, stating that, as has been referred in paragraph 4 of the impugned order that, no adverse orders have been passed against the appellant/writ petitioner and only a direction was given to the second respondent to conduct an enquiry in respect of the fabricated certificate. Such being the position, the appellant/writ petitioner could very well put forth her case or submit her explanation before the Enquiry Officer to be appointed and the appellant/writ petitioner had approached the Writ Court at premature stage and therefore, the writ petition was not maintainable.

7.2. This of the stand taken by the learned Government Advocate before the Writ Court was erroneously accepted by the Writ Court, because, in the impugned order before the Writ Court dated 27.06.2025, it has been clearly stated to conduct an enquiry or to give a show-cause to the appellant/writ petitioner, but also a direction has been given to the other respondents to take departmental action and also a criminal action against the person who submitted the certificate, that is the mark statement and after



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taking action, the details also to be sent by the respondents to the first respondent. Therefore, imminently, the appellant/writ petitioner since is facing police action, that is criminal case, by setting the criminal law in motion, as against the complaint given by the other respondent to the first respondent, that position since has not been properly appreciated by the Writ Court, it requires reconsideration at the hands of the Division Bench, he contended.

8. *Mr.J.C.Durairaj*, learned Additional Government Pleader appearing for the respondents would submit that, the stand of the respondents, as has been taken by the learned Government Advocate before the Writ Court, is still reiterated by himself also, as it is only a notice stage, where, pursuant to which, enquiry would be conducted by the Officials concerned as to the genuinity of the Diploma Certificate produced by the appellant/writ petitioner for getting the job, as she has been working pursuant to the same for all these years as Secondary Grade Teacher in the School concerned. Therefore, every opportunity would be given to the appellant/writ petitioner during the enquiry and only after completing the enquiry in the manner known to law, depending upon the outcome of the enquiry alone, further course of action would be decided, including action of setting the criminal law in



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motion if the need arises.

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9. In view of the said stand taken by the learned Additional Government Pleader appearing for the respondents, reiterating the stand taken on the side of the respondents before the Writ Court, unmindful of the language used in the impugned order of the Writ Court dated 27.06.2025 by directing the other respondents by setting the criminal law in motion, by filing a compliant before the Police Authorities against the appellant/writ petitioner and therefore, if such a position is clarified by our order in the present *lis*, the issue could be given a quietus. In that view of the matter, this writ appeal is disposed of with the following orders:-

(i) That, as intended by the respondents, pursuant to the order dated 27.06.2025, enquiry could be conducted to find out the genuinity of the Diploma Certificate held by the appellant/writ petitioner issued by the Management called the S.B.G. Teacher Training Institute and in this regard, the Officer who is going to enquire the matter shall issue notice to both the appellant/writ petitioner as well as to the School Management and after completing the enquiry, a report be filed to the first respondent, based on which, the first respondent shall take a decision as to the further course of action, which may or may not include criminal action by setting the criminal law in



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motion.

(ii) Till such time, the only enquiry, as indicated above, shall be conducted against the appellant/writ petitioner and no criminal action be initiated.

10. With these clarification and modification of the order passed by the Writ Court, which is impugned herein, this writ appeal is disposed of. However, there shall be no order as to costs. Consequently, C.M.P.No.26138 of 2025 is closed.

(R.S.K., J.) (H.C., J)
29.10.2025

Speaking Order/Non-Speaking Order

Index:Yes/No

Internet:Yes/No

Neutral Citation:Yes/No

(drm)

To:

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Collectorate Campus, Nagapattinam.

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R. SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.
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