



WEB COPY



W.P.No.40912 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.40912 of 2025 and
WMP.No.45862 of 2025

Lumina Stephen

... Petitioner

Vs.

1.The Collector of Nilgiris and President,
Board of Management,
Breeks Schools, Udhagamandalam
2.Chief Educational Officer,
The Nilgiris, Udhagamandalam
3.The Inspector of Anglo Indian Schools,
DPI Compound, Chennai 600 006
4.Headmaster,
Breeks Memorial Anglo Indian,
Higher Secondary School,
Udhagamandalam

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue a Writ of Certiorarified Mandamus calling for the
records relating to the proceedings of the 4th respondent in Breeks/2024-



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2025/dated 11.04.2025 and quash the same and consequently direct the respondents to consider the petitioner's representation dated 03.07.2025 and to disburse the pending retirement benefits including 7th pay commission arrears amount, Earned leave and unearned leave amount together with interest to the petitioner which the petitioner is legally entitled to having rendered continuous service as Post Graduate Teacher in the 4th respondent school.

For Petitioner : Dr.R.Gouri

For Respondents

For R1 to 3 : Mrs.S.Mythreye Chandru,
Special Government Pleader

ORDER

This writ petition has been filed challenging the notice issued by the fourth respondent dated 11.04.2025.

2. On perusal of the notice dated 11.04.2025, it is revealed that the petitioner had joined as Post Graduate Economics Teacher on 19.06.2009 and retired from service on 31.05.2018. On verification, it was found that the petitioner did not pass Tamil. As per her appointment



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order, it is mandatory to pass Tamil paper within two sessions. Therefore, the qualification for the petitioner's post cannot be evaluated and the genuineness of the post cannot be obtained from the District Educational Officer, Anglo Indian Schools, Chennai. However, after retirement, the petitioner was paid all terminal benefits. Hence, the petitioner was issued notice to explain why the salary disbursed to her should not be recovered. On receipt of the same, the petitioner has also submitted explanation and it is pending for passing order. In the meanwhile, the petitioner has challenged the very show cause notice itself dated 11.04.2025. As such, after having been submitted explanation for the show cause notice dated 11.04.2025, the petitioner cannot challenge the very show cause notice after a period of six months. Therefore, the writ petition itself is devoid of merits and the same is liable to be dismissed.

3. In view of the above discussion, this writ petition is dismissed. However, the fourth respondent is directed to pass orders on the aforementioned explanation submitted by the petitioner on merits and in accordance with law within a period of four weeks from the date of



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receipt of this order. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

31.10.2025

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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