



W.P.No.45704 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.45704 of 2025
W.M.P.Nos.50940 & 50942 of 2025

A.Thennarasu

... Petitioner

Vs

1.The Principal Secretary
School Education Department
Secretariat, Fort St.George
Chennai-600 009.

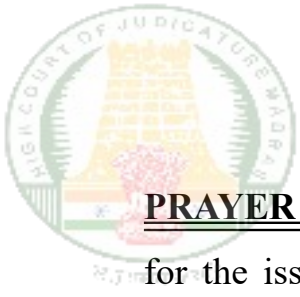
2.The Directorate of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai-600006.

3.The Chief Educational Officer,
District Educational Office,
Dharmapuri District.

4.District Educational Officer,
Elementary Education,
Dharmapuri District.

5.P.Vijaya

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order issued by the 4th Respondent vide Na.Ka.No.3064/B2/2025 dated 24.10.2025 and quash the same and direct the Respondents 1 to 4 to take appropriate action against the 5th Respondent according to the Rule 6(4)(a)(i) of the Tamil Nadu Government Servants Conduct Rules, 1973 and according to the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

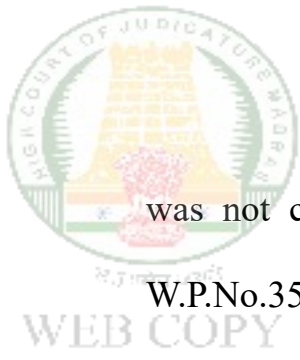
For Petitioner : Mr.P.Murugesan

For Respondents : Mrs.S.Mythreye Chandru,
Special Government Pleader
for RR-1 to 4

ORDER

Aggrieved by the order passed by the 4th respondent, in and by which, the petitioner's representation seeking necessary action against the 5th respondent for non-payment of loan alleged to have been advanced by the petitioner, the present Writ Petition has been filed.

2. It is the case of the petitioner that he lodged a complaint before the respondents by way of representation dated 16.08.2025 seeking necessary action against the 5th respondent who is working as Head Mistress at Panchayat Union Middle School (PUMS), Jerthalav, Palacode Taluk, Dharmapuri District. The allegation is that the 5th respondent had availed loan of Rs.60,00,000/- from the petitioner and had defaulted in repaying the same. Since the said representation



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was not considered, the petitioner filed a Writ Petition before this Court in W.P.No.35065 of 2025 which was disposed of vide order dated 17.09.2025 directing the respondents to consider the petitioner's representation. Pursuant thereto, the present impugned order came to be passed. Aggrieved by which, the present Writ Petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the respondents ought to have initiated action against the 5th respondent for non-payment of the loan advanced by the petitioner as the same amounts to a serious misconduct and is in violation of Rule 6(4)(a)(i) of the Tamil Nadu Government Servants Conduct Rules, 1973 as well as the Tamil Nadu Civil Services (Discipline and Appeal) Rules. Accordingly, he prayed for appropriate orders.

4. Learned Special Government Pleader appearing for respondents 1 to 4 who, submitted that the representation of the petitioner was rightly rejected as it was bereft of any materials substantiating the allegations raised therein and therefore, the order impugned in this Writ Petition does not warrant any interference.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

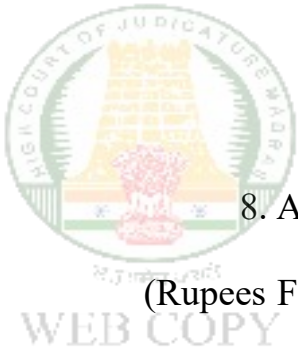


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6. It is even the admitted case of the petitioner that the amount alleged to have been borrowed was not paid by way of any instrument; rather it was paid by cash at the insistence of the 5th respondent. There is no material to substantiate the fact that the amount to the tune of Rs.50,00,000/- was withdrawn by the petitioner and paid to the 5th respondent in the form of cash. Further more, this Court is at a loss to understand as to how such sum has been paid by way of cash as financial transactions exceeding a particular sum cannot be paid as loan by way of cash which is forbidden under law.

7. When the petitioner has not placed any materials to substantiate his case with regard to the receipt of the said amount by the 5th respondent, a mere representation submitted by the petitioner has been rightly rejected by the 4th respondent as the allegations cannot partake the character of proof. Moreso, when such allegations are of higher degree which would have a direct implication on the livelihood of the 5th respondent in respect of her job. The act of the petitioner can only be said to be an attempt to extract the malign reputation of the 5th respondent for some personal purposes. In the absence of any materials, an order passed by the 4th respondent cannot be said to be erroneous or perverse and the same does not warrant any interference.



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8. Accordingly, this writ petition stands dismissed with cost of Rs.50,000/- (Rupees Fifty Thousand only) payable by the petitioner to the Tamil Nadu Legal Services Authority, Chennai within a period of two (2) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

04.12.2025

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs



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M.DHANDAPANI, J

Nhs

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