



W.P.(MD)No.1966 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.01.2025

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1966 of 2025

J.Nirmal Shobana

... Petitioner

Vs.

1. The Director of School Education,
DPI Campus,
College Road,
Chennai – 6.
2. The Joint Director of Higher Secondary School Education
(Aided School Scheme),
DPI Campus,
College Road,
Chennai – 6.
3. The Chief Educational Officer,
Office of the CEO,
Tenkasi,
Tenkasi District.
4. The District Educational Officer,
Office of the District Educational Officer,
Tenkasi,
Tenkasi District.



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5. The Secretary,
Hindu Nadar Uravinmurai Committee Higher Secondary School,
T.N.Pudhukudi,
Puliyangudi – 627 855,
Tenkasi District.

6. The Internal Enquiry Officer,
Hindu Nadar Uravinmurai Committee Higher Secondary School,
T.N.Pudhukudi,
Puliyangudi – 627 855,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 4th Respondent to consider my representation dated 18.11.2024 and 28.11.2024 and further to obtain the attested copies of all exhibits from the 5th Respondent pertaining to Internal Enquiry Report dated 13.07.2024 and enabling the petitioner to prove innocence.

For Petitioner : Mr.V.Rajiv Rufus

For R1 to R4 : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

Mr.N.Satheesh Kumar, learned Additional Government Pleader
takes notice on behalf of the respondents 1 to 4.



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2. The instant writ petition has been filed by a P.G.Assistant Teacher, seeking a mandamus as against the respondents to consider her representation dated 18.11.2024 and 28.11.2024 for furnishing copies of the exhibits that were relied upon in the Internal Enquiry Report dated 13.07.2024.

3. A perusal of the affidavit reveals that the petitioner was working in the 5th respondent school which is a non-minority aided educational institution. After disciplinary proceedings, the petitioner was dismissed from service. Thereafter, the petitioner has presented an appeal before the competent authority under Section 41 of the Tamil Nadu Private Schools (Regulation) Act, 2018. However, the documents that were relied upon in the enquiry report have not been furnished to the writ petitioner. Seeking the above said documents, the petitioner has made a request to the 5th respondent by way of a representation dated 18.11.2024 and 28.11.2024. Since the same has not been considered, the present writ petition has been filed.



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4. A perusal of the Internal Enquiry Report dated 13.07.2024 reveals that 17 documents have been filed on the side of the management and 23 documents have been relied upon by the enquiry officer himself. Unless these documents are furnished to the writ petitioner, he may not be in a position to prosecute the appeal filed by him before the competent authority.

5. In view of the above said facts, the 5th respondent is directed to furnish a certified copy of all the documents submitted by the management as well as the documents relied upon by the enquiry officer within a period of 4 weeks from the date of receipt of a copy of this order.

6. The writ petition stands disposed of with the above observations and directions. No costs.

24.01.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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R.VIJAYAKUMAR, J.

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