

W.P.(MD)No.6537 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.6537 of 2025

B.S.Sajeev

... Petitioner

Vs.

1.The Chief Educational Officer,
Kanyakumari District.

2.Arunachalam Higher Secondary School,
Represented by its Correspondent,
Thiruvattar – 629 177,
Kanyakumari District.

3.Mr.Abraham Mathew,
The Correspondent,
Arunachalam Higher Secondary School,
Thiruvattar – 629 177,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent herein to conclude the enquiry proceedings conducted as per the proceedings in Na.Ka.No.7807/E2/2020, dated 14.12.2021 and pass final orders in terms Rule 17 A of the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974.



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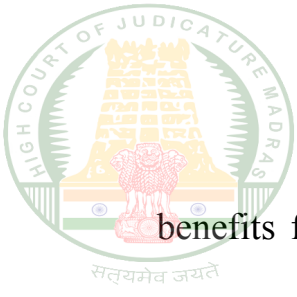
For Petitioner : Mr.E.V.N.Siva

For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

This writ petition has been filed seeking a writ of Mandamus directing the first respondent to conclude the enquiry proceedings conducted as per the proceedings, dated 14.12.2021 and pass final orders in terms Rule 17 A of the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974.

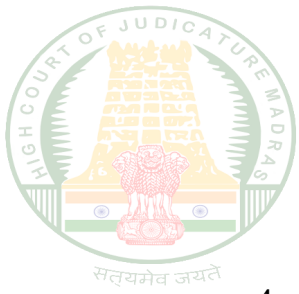
2. The facts of the case are that the petitioner was joined as Teacher in the second respondent school on 01.07.1992 in a sanctioned aided post. The second respondent school is a private aided school. He was on medical leave from 02.11.2017 to 05.11.2017. When he reported for duty on 06.11.2017 along with fitness certificate, he was not allowed to report duty and not allowed to sign the attendance register till 01.01.2018. He repeatedly approached the Head Master of the School requesting to sign the attendance register. He was asked to meet the third respondent. Accordingly, the petitioner met the third respondent on 02.01.2018, wherein, a resignation letter, dated 02.01.2018 was obtained by force and compulsion. The third respondent informed the petitioner that he will be provided voluntary retirement. The petitioner was deprived of all retirement



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benefits for the service rendered from 01.07.1992 onwards. Inspite of several representations, no decision was taken to disburse his retirement benefits. He submitted a representation, dated 23.09.2021 to the first respondent. The first respondent vide proceedings, dated 01.12.2021 and 14.12.2021 called for enquiry. Accordingly, the petitioner appeared for enquiry. The second respondent school also appeared for enquiry. As no orders were passed by the first respondent in terms of Rule 17 A of the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974, the petitioner submitted representations repeatedly from 05.12.2022 onwards. However, no action was taken and no orders were passed by the first respondent. Aggrieved by the action of the first respondent in concluding the enquiry proceedings conducted as per proceedings, dated 14.12.2021 and passing final orders in terms of 17 A of the Tamil Nadu Recognised Private Schools (Regulation) Rules, 1974, the petitioner filed this writ petition.

3. Having heard the submissions of the respective learned counsels and on perusal of the materials available on record, it came to know that the enquiry is pending with the first respondent pursuant to the proceedings, dated 14.12.2024. The petitioner also submitted several representations to conclude the enquiry.



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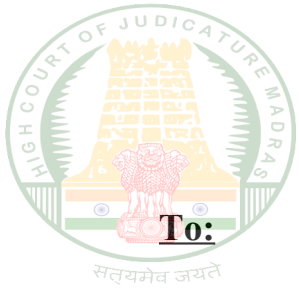
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4. Considering the factual position in the interest of justice, it is appropriate and reasonable to dispose of this writ petition at the admission stage with the consent of both parties without going into the merits of the case with a direction to the first respondent to conclude the enquiry proceedings conducted as per the proceedings, dated 14.12.2021 within a stipulated time.

5. Accordingly, the writ petition is disposed of with a direction to the first respondent to conclude the enquiry proceedings conducted as per the proceedings in Na.Ka.No.7807/E2/2020 dated 14.12.2024 and pass final orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

11.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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To:

- 1.The Chief Educational Officer,
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BATTU DEVANAND, J.

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