



W.P.(MD) No.7350 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.03.2025

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THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P.(MD) No.7350 of 2025

and W.M.P.(MD) No.5554 of 2025

J.K. Suriyanath

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.

2. The Inspector of Police,
B-3, Theppakulam Police Station,
Madurai District.

3. A.R. Jeganath,
The Correspondent,
Sourashtra Higher Secondary School,
110, Kamarajar Salai,
Madurai - 9.

4. J.J. Jothikumar,
The Headmaster,
Sourashtra Higher Secondary School,
110, Kamarajar Salai,
Madurai – 9.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the 1st and 2nd



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respondents to defer the verification and enquiry of the petitioner based on summon dated 13.03.2025 till the inquiry by the 1st and 2nd respondents, based on complaint against the 3rd and 4th respondents.

For Petitioner : Ms.S. Modharshini

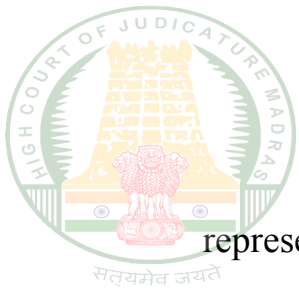
For R-1 to R-2 : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)

ORDER

The prayer of the petitioner is to direct the respondents no.1 and 2 to defer the verification and enquiry of the petitioner, based on the summon dated 13.03.2025 till the enquiry by the respondents no.1 and 2, based on the complaint given by the respondents no.3 and 4.

2. The learned Counsel appearing for the petitioner would submit that the petitioner had joined as a part time Vocational Instructor at Sourashtra Higher Secondary School, Madurai in the year 1996. Thereafter, in the year 2002, he was appointed as the vocational Instructor on death incumbent. The petitioner already filed a W.P.(MD) No.7042 of 2017 for regularization and the same was allowed by directing the authorities to consider his representation. But, the Joint Director (Vocational) Directorate of School Education has rejected the



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representation of the petitioner. Thereafter, this Court directed the

authorities to regularize the petitioner's service through order in

W.P(MD).Nos.2006 of 2022 and 5192 of 2023, dated 19.06.2024.

Thereafter, the petitioner filed a Contempt Petition in Cont.P.(MD) No.

3167 of 2024 against the Joint Director (Vocational), Directorate of

School Education, Madurai passed order dated 12.03.2025, to regularize

his service. In the meantime, an appeal in W.A.(MD)SR.No.19692 of

2025 and W.A(MD) SR.No.19689 of 2025 are also filed with condone

delay petition. In the meantime, the Joint Director (Vocational), had

served a proceedings dated 20.09.2024 alleging that there is a difference

in date of birth between 10th and 12th mark sheets. The petitioner also sent

an explanation in writing on 26.12.2024. Now in the writ appeals, the

appellant mentioned about the C.S.No.106 of 2025 dated 15.02.2025, and

the petitioner also depraving for enquiry regarding the said complaint

enquiry by the 2nd respondent police. The 2nd respondent issued summon

on 13.03.2025 without mentioning the provisions of law.

3. The learned Government Advocate appearing for the respondents 1 and 2 would submit that the 3rd respondent lodged a complaint against the petitioner, thereby they issued summon to the

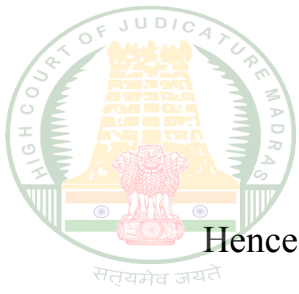


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petitioner for enquiry on 14.03.2025 at 10.00 a.m, but he did not appeared. Now filed this petition. The petition is filed only to drag the enquiry proceedings, without any basis this petition is filed.

4. Considering the prayer sought for in this petition without even issuing notice to the 3rd and 4th respondents, this Court inclined to pass orders at the stage of admission itself.

5. According to the petitioner, there is a dispute between the petitioner and the management of Sourashtra Higher Secondary School and the cases are pending before this Court. While so, the 3rd respondent lodged a complaint against the petitioner, for that the 2nd respondent issued summon for enquiry. Now the petitioner filed this petition to defer the enquiry. This Court also perused the enquiry records. On perusal, it is seen that based on the complaint lodged by the 3rd respondent, the 2nd respondent issued summons for enquiry. While so, it is for the petitioner to respond to summons and explain about his objection or he can seeks time to produce some documents. Now, without any ground the petitioner filed this petition to delay the enquiry. The prayer of the petitioner itself is misconceived and such a prayer cannot be considered by this Court.



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Hence, the writ petition is dismissed. No costs. Consequently, connected writ miscellaneous petition is closed. However, the petitioner is at liberty to approach the 2nd respondent to make request to defer the enquiry by assigning reasons. On such request if any made by the petitioner, the 2nd respondent shall consider the same in accordance with law on merits.

18.03.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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To

1. The Superintendent of Police,
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2. The Inspector of Police,
B-3, Theppakulam Police Station,
Madurai District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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