



W.P.(MD)Nos.16551 and 5418 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) Nos.16551 and 5418 of 2025

and

WMP (MD) Nos.12575, 3967 of 2025 and 6179 of 2025

M.Selvanayagam

: Petitioner
(in both writ petitions)

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,
O/o CEO, Tenkasi
Tenkasi District.

4. The District Educational Officer,
O/o 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.

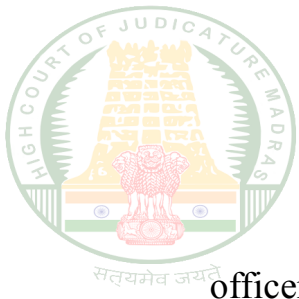
: Respondents
(in both writ petitions)

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

: 6th respondent
(in WP(MD) No.5418/25)

PRAYER in W.P.(MD) Nos.16551 of 2025: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned suspension orders Na.Ka.No. 79/2024 dated 18.12.2024, Na.Ka.No. 09/2025 dated 10.02.2025, and Na.Ka.No.50/2025 dated 16.04.2025 passed by the fifth respondent and quash the same, and consequently direct the respondents to reinstate the petitioner in service with all attendant benefits.

PRAYER in W.P.(MD) Nos.5418 of 2025: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the Impugned Proceedings of the fifth respondent dated 12.02.2025 and impugned letter of the 6th respondent dated 18.02.2025 and to quash the same as illegal and further to direct the 5th respondent to appoint a fresh enquiry



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officer to conduct the enquiry regarding the charges levelled against the petitioner.

For Petitioner : Mr.M.Suriya Bagavandass
(in both writ petitions)

For Respondents : Mr.M.Siddharthan
Addl. Government Pleader for R1 to R4
Mr.V.Meenakshi Sundaram for R5
(in both writ petitions)
No appearance for R6 in WP(MD) No.
5418 of 2025

COMMON ORDER

The writ petition in W.P.(MD) No.16551 of 2025 has been filed challenging the impugned suspension orders dated 18.12.2024 and 16.04.2025 issued by the fifth respondent and consequently, to direct the respondents to reinstate the petitioner in service with all attendant benefits.

2. The writ petition in W.P.(MD) No.5418 of 2025 has been filed challenging the appointment of enquiry officer dated 12.02.2025 and 18.02.2025 issued by the fifth respondent and consequently, to direct the fifth respondent to appoint a fresh enquiry officer to conduct the enquiry regarding the charges levelled against the petitioner.



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3.The learned counsel for the petitioner submitted that the petitioner has been working as a Teacher since 2010 and was confirmed as a permanent teacher with effect from 16.11.2023. The primary grievance of the petitioner is that one Manivannan, who is stated to be the President of the Parent Teachers Association, assaulted the petitioner, and under coercion and threat exerted by the fifth respondent Management and the said Manivannan, the petitioner was compelled to resign from service on 08.01.2025. It is further submitted that, instead of initiating any corrective or remedial action, the fifth respondent issued a charge memo dated 27.01.2025. Subsequently, the petitioner was served with a suspension order dated 10.02.2025, allegedly issued without obtaining prior approval from the competent educational authority.

4. The grievance of the petitioner is that, on 12.02.2025, the fifth respondent issued a letter appointing one G.M.Ganesan as the internal enquiry officer to conduct the disciplinary proceedings initiated against him. In response, the petitioner raised objections to the said appointment. However, without providing any reply or addressing the petitioner's objections, the appointed enquiry officer proceeded to issue a notice dated 18.02.2025, scheduling the internal enquiry for 22.02.2025.



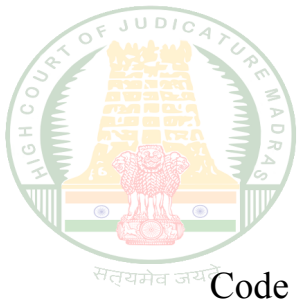
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Aggrieved by the same, the petitioner filed a writ petition in W.P.(MD) No.5418 of 2025, challenging the appointment of the enquiry officer. This Court, by order dated 27.02.2025, granted an interim stay of the proceedings, which was subsequently made absolute on 24.03.2025. However, without considering the same, the fifth respondent has extended the suspension of the petitioner till the completion of enquiry. Aggrieved by the same, these writ petitions have been filed by the petitioner.

5. Per contra, the learned Additional Government Pleader appearing on behalf of respondents 1 to 4 and the learned counsel appearing on behalf of the fifth respondent, submitted that the enquiry officer was appointed by the fifth respondent in response to the allegations raised by the petitioner, with the objective of ascertaining the truth through a proper enquiry process. It was further submitted that due procedure was followed and the petitioner was duly informed and requested to cooperate with the enquiry proceedings.

6. The learned counsel for the fifth respondent submitted that the disciplinary proceedings were initiated in accordance with the



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Code of Conduct as prescribed under Section 28 of the Tamil Nadu Private Schools (Regulation) Act, 2019, and therefore, no procedural lapses can be attributed to the initiation of such proceedings. Accordingly, both counsels sought dismissal of the writ petition.

7. Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 4, the learned counsel appearing on behalf of the fifth respondent and perused the materials available on record.

8. Considering the submissions made by the learned counsel for the petitioner as well as the learned Additional Government Pleader for respondents 1 to 4 and the learned counsel for the fifth respondent and upon perusal of the materials placed on record, this Court is of the view that no procedural irregularity or illegality has been established in the initiation of disciplinary proceedings against the petitioner. It is evident that the fifth respondent has appointed an enquiry officer to inquire into the allegations made and that such appointment was made in accordance with the Code of Conduct prescribed under Section 28 of the Tamil Nadu Private Schools (Regulation) Act, 2019. The contention of



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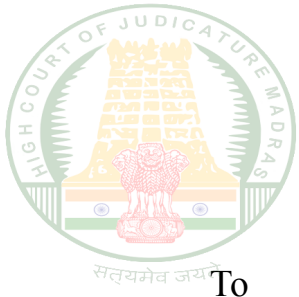
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the petitioner that the appointment of the enquiry officer is arbitrary has been effectively rebutted by the respondents, who have shown that due notice was issued to the petitioner and that he was given an opportunity to participate in the enquiry. This Court does not find any compelling ground to interfere with the impugned proceedings at this stage and therefore, the interference by this Court would not be warranted unless there is a clear violation of principles of natural justice or statutory provisions, which is not made out in the present case.

9. In the result, these writ petitions are dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

01.07.2025

Index : Yes / No
Internet : Yes / No
PKN



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VIVEK KUMAR SINGH, J.

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