



WP(MD)No.14468 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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M.Navaneethan

... Petitioner

Vs

- 1.The Commissioner of School Education,
College Road, Chennai – 600 006.
- 2.The Accountant General,
Office of the Accountant General,
361, Annasalai, Chennai – 600 018.
- 3.The Joint Director of School Education,
(Higher Secondary), College Road,
Chennai – 600 006.
- 4.The Chief Educational Officer,
Thoothukudi,
Thoothukudi District.
- 5.The District Educational Officer,
Thoothukudi, Thoothukudi District.
- 6.The Secretary,
Karapettai Nadar Higher Secondary School,
Thoothukudi – 628 001,
Thoothukudi District.
- 7.N.T.Selvaraj



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8.S.Ganesan

9.K.Prabakar

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 4 and 5 to take action on the petitioner's representation dated 22.03.2022 and 05.05.2022 with regard to the tampering of official records of the 6th respondent school resulting in loss of government funds.

For Petitioner	: Mr.R.Harihara Selvan for M/s.Isaac Chambers
For Respondent Nos.1, 3,4 & 5	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For Respondent No.2	: Mr.P.Gunasekaran
For Respondent No.8	: No representation
For Respondent No.9	: Mr.S.Vaisik Ali
For Respondent No.6 and 7	: No appearance

ORDER

The petitioner is a member of Thoothukudi Vadathisai Hindu Nadar Mahamai Dharma Karapettai Paribalana Sangam. This Sangam is running a school in the name of Karapettai Nadar Elementary School, Thoothukudi from the year 1920. This school has been upgraded as a Higher Secondary School and it is an aided institution. The petitioner



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with a grievance as against the respondent No.9 has submitted a representation to the respondent Nos. 4 and 5 on 22.03.2022 and on 05.05.2022 and has filed this writ petition seeking mandamus directing the respondent Nos.4 and 5 to take action on his representations.

2.The 5th respondent has filed his counter affidavit as under :

“Pointing out the respondents 7 to 9 herein are involved in manipulation of records by misusing their post and thereby caused huge revenue loss to government. Hence the writ petitioner made a request to take action against the respondents 7 to 9 herein. I submit that on receipt of the said complaints in order to verify the veracity of the same this respondent has ascertaining the official records available in this respondent's office. I submit that on perusal of the same this respondent came to understand that admittedly charge memo issued to the 9th respondent herein for raising certain misconduct while discharging his official duty. After getting appropriate approval from the competent authority enquiry was conducted and minor punishment was imposed on the 9th respondent.

8. I submit that later on after the receipt of the final orders on the disciplinary proceedings, the 9th



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respondent herein made a request for rehearing of disciplinary proceedings initiated against him stating that totally four charges were framed as against him and only two charges were enquired by the enquiry officer and further he had not involved in any misconduct as charges levelled against him, hence he sought for re-enquiry. The said request was accepted by the school committee in the meeting held on 04.11.2015 and re-enquiry was ordered by appointing enquiry officer, after due hearing, the enquiry officer submitted his report to the extent charges levelled against the 9th respondent are not proved. Based on the report submitted by the enquiry officer, 9th respondent was exonerated from the charges and stoppage of increment from April 2010 to April 2015 were given to him. The said proceedings were communicated to department and the same was also approved by the department in the year 2016 itself. I submit that this respondent cannot interfere in the internal decision of school committee and this respondent can only got into the issue whether the decision of school committee is as per the procedures in force or not. In the present case as per the records received by this respondent the procedures were duly followed. Hence the contention of the writ petitioner that 9th respondent was exonerated from the charges by tampering the records cannot be



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accepted and further other allegations raised by the writ petitioner are relating to tampering of service register and they obtained illegal monetary benefit from the government. I submit that on perusal of the records available in this respondent office all the aid released by the department only after due verification and further aid were released by the department only with a condition that if the department later came to know that the benefits given to the individual is in excess that would be recovered. The allegations made by the writ petition is not having any prima facie materials to substantiate the same.

9. I Submit that if any misappropriation is brought to the notice of this respondent against the managing committee of the 6th respondent school is found during routine inspection, then this respondent would take appropriate action against them under the Provisions of the Tamil Nadu Private Schools (Regulation) Act and the rules framed thereunder:

10.I submit that mere perusal of the complaints given by the writ petitioner one can understand his hidden agenda to wreak personal vengeance against against the private respondents and is making complaint



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*after complaint and insisting this respondent to take
action against them.”*

3.Considering the counter affidavit filed by the District
Educational Officer as stated supra, this writ petition is closed. No costs.

07.01.2025

DSK

To

- 1.The Director of School Education,
College Road,
Chennai – 600 006.
- 2.The Chief Educational Officer,
Kanyakumari District @ Nagercoil.
- 3.The District Educational Officer,
Thiruvattar,
Kanyakumari District.
- 4.The Headmaster,
TCK.Higer Secondary School,
Padanthalumoodu Post,
Kanyakumari District.
- 5.The President,
Parent Teachers Association,
TCK.Higher Secondary School,
Padanthalumoodu Post,
Kanyakumari District.



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B.PUGALENDHI.J.,

DSK

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