



W.P.(MD)No.16755 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.16755 of 2025

and

W.M.P.(MD)Nos.12711 and 12714 of 2025

N.A.Kannan Raja,
S/o.N.Alagiri Raja,
Secretary,
N.A.Pappuraja Memorial Middles School,
Cotton Market, Rajapalayam,
Virudhunagar District – 626 117.

... Petitioner

-VS-

1.The Chief Educational Officer,
School Educational Department,
Virudhunagar Collectorate Complex,
Virudhunagar District.

2.The District Educational Officer (Elementary Schools),
Sivakasi Educational District, Sivakasi.

3.The Block Educational Officer – II (Elementary Schools),
Block Educational Office, Rajapalayam.

4.G.Janaki

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the



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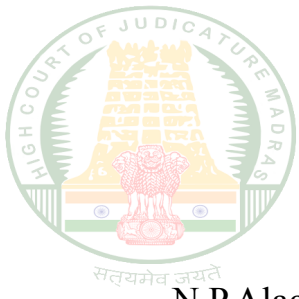
representation of the petitioner dated 09.06.2025 sent by him through post to initiate departmental action as against the fourth respondent, who has indulged in illegal activities against the interest of the petitioner's School during her service in the petitioner's school and even after being relieved from the petitioner's school on 26.04.2025.

For Petitioner : Mr.S.K.Mani
For R1 to R3 : Mr.M.Siddharthan
Additional Government Pleader
For R4 : Mr.S.Venkatesh

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 3 to consider the petitioner's representation dated 09.06.2025, sent by post and to initiate appropriate departmental action against the fourth respondent, who is alleged to have engaged in illegal activities detrimental to the interests of the petitioner's school, both during her tenure and even after being relieved from service on 26.04.2025.

2. The learned counsel for the petitioner submits that the petitioner's institution was established in the year 1924 by the petitioner's father, Thiru.

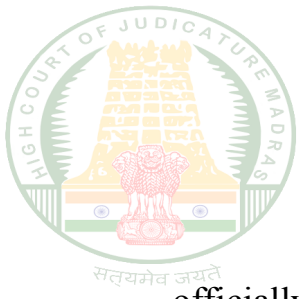


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N.P.Alagiri Raja, with the noble objective of imparting education to underprivileged children. The fourth respondent was appointed as a Secondary Grade Teacher on 10.06.1996 and gradually assumed unofficial charge of managing school records and correspondence with the Educational Department, in the absence of an appointed Headmaster. During her tenure, the fourth respondent indulged in serious mismanagement, including:

- (i) Failure to maintain attendance in the Biometric Register.
- (ii) Misappropriation of Rs.1,50,000/- annually from 2020 onwards, meant for school maintenance, without furnishing proper accounts.
- (iii) Withholding official communications from educational authorities.
- (iv) Retaining school records and Government-provided materials at her residence for unauthorized manipulation.
- (v) Continued possession of school documents, including a 44-page record handed over by a retired teacher, which are the exclusive property of the school.

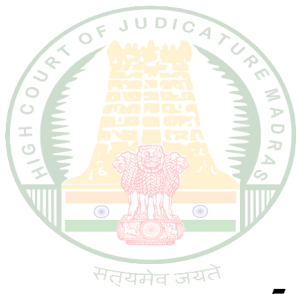
3. The learned counsel further submits that the departmental enquiry held on 28.03.2025 brought to light the fourth respondent's unauthorized custody of Government-provided articles and sensitive school records. Despite being



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officially relieved from the school on 26.04.2025, the fourth respondent, with *mala fide* intent, used the school's email credentials to delete the names of four students from the EMIS portal, amounting to a serious post-relieving misconduct. Therefore, the petitioner issued a legal notice dated 09.05.2025, demanding that the fourth respondent hand over all school property and records either to the school management or a Government teacher nominated by the District Educational Officer. Even thereafter, the fourth respondent has not handed over the documents. Subsequently, the third respondent issued a communication on 15.05.2025, directing the fourth respondent to hand over the relevant documents to the Headmistress of a nearby Government school. However, the fourth respondent failed to comply with the same as well.

4. The learned counsel further submits that the petitioner has made repeated representations to the official respondents regarding these issues, culminating in a formal representation dated 09.06.2025, requesting initiation of departmental action and withholding of monetary benefits to the fourth respondent. However, no action has been taken till date, causing continued damage to the integrity and administration of the school.



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5. The learned counsel for the petitioner also submits that the conduct of the fourth respondent not only undermines the administration but also poses a serious risk to the future of the students. Accordingly, the petitioner prays that this Court may be pleased to issue a direction to the respondents 1 to 3 to consider the representation dated 09.06.2025 and initiate appropriate departmental action against the fourth respondent, including steps to recover the school property and stall any service benefits until such action is concluded.

6. The learned counsel for the fourth respondent submits that the allegations made by the petitioner against the fourth respondent are vague, baseless and misconceived and appear to be driven by personal animosity rather than any substantiated misconduct.

7. It is submitted that the fourth respondent had discharged her duties diligently and in accordance with the norms prescribed by the Department of School Education during her tenure at the petitioner's school. The fourth respondent was relieved from the petitioner's school on 26.04.2025 and since then, has not held any official role or responsibility in the said institution. The



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allegations relating to post-relieving conduct, including access to email and deletion of EMIS records, are unsubstantiated and not supported by any material evidence.

8. It is further submitted that no official disciplinary proceedings have been initiated by the competent authorities against the fourth respondent till date and the petitioner's representation dated 09.06.2025 does not, by itself, confer any enforceable right or obligation under Article 226 of the Constitution. The petitioner is attempting to invoke the extraordinary jurisdiction of this Court based on a series of assumptions and without any cogent or verifiable proof of wrongdoing. The prayer to initiate departmental action is premature and outside the scope of a writ of mandamus, as the competent authority has the discretion to determine whether a *prima facie* case exists to take such action.

9. The learned counsel submits that the writ petition is liable to be dismissed, as it seeks to bypass the established administrative and disciplinary procedures and is nothing more than an attempt to harass the fourth respondent.



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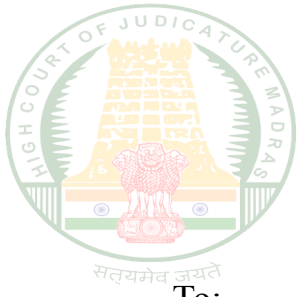
10. Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the respondents 1 to 3 and the learned counsel for the fourth respondent.

11. The petitioner seeks a direction to the official respondents to initiate departmental proceedings against the fourth respondent based on certain alleged acts of misconduct during and after her tenure at the petitioner's school.

12. Upon perusal of the materials placed on record and after hearing the submissions, this Court is of the view that the allegations made by the petitioner are, at this stage, vague and unsupported by concrete evidence. This Court does not find it appropriate to interfere under Article 226 of the Constitution, particularly, when no *prima facie* case of administrative lapse or failure has been made out. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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