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W.P.(MD) No.22775 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.22775 of 2021

S.Ramasamy

... Petitioner

-vs-

1.The Director of Elementary Education
D.P.I.Complex
College Road, Chennai-625 006

2.The Chief Education Officer
Pudukottai District, Pudukottai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records relating to the orders passed by the 1st respondent in Pro.Roc.No.2818/A1/2021 dated 25.11.2021, quash the same as illegal.

For Petitioner : Ms.W.Pamelin

For Respondents : Mr.S.Shaji Bino
Special Government Pleader



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ORDER

This writ petition has been filed challenging the impugned order dated 25.11.2021, passed by the first respondent, rejecting the petitioner's review petition seeking to review the order of his termination from service.

2. Under the impugned order, the first respondent has rejected the petitioner's review petition, on the ground that he was rightly terminated from service, since he had produced fake certificates for seeking appointment to the post of Office Assistant. The review petition was filed by the petitioner, which has been rejected under the impugned order, aggrieved by the order of termination from service passed by the second respondent on 22.02.1989.

3. The petitioner has challenged the impugned order, on the ground of violation of the principles of natural justice and on the ground that there has been an inordinate delay on the part of the first respondent in passing the impugned order.



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4. A counter affidavit has been filed by the respondents disputing the contentions of the petitioner and also reiterating the contents of the impugned order by stating that only due to the fact that the petitioner had produced fake certificates for seeking employment as Office Assistant, his services were terminated, which was upheld in the impugned order.

5. The following facts are undisputed:

- (a) The petitioner is now aged more than 70 years.
- (b) He was terminated from service as Office Assistant, by the order of the second respondent dated 22.02.1989.
- (c) The petitioner claims to have filed a review petition on time before the first respondent seeking to review the order of termination passed by the second respondent.
- (d) However, the petitioner had approached this Court by filing a writ petition only in the year 2003 alleging that there has been an inordinate delay on the part of the first respondent in disposing of the review petition.



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- (e) A direction was issued by this Court in the aforesaid writ petition to the first respondent to pass final orders on the review petition filed by the petitioner seeking to review the order of termination, within a time frame fixed by the High Court in the said order.
- (f) The first respondent has passed the impugned order dated 25.11.2021, confirming the order of the second respondent terminating the petitioner from service as Office Assistant and also reiterating the reasons given for termination by stating that the petitioner had produced fabricated documents for seeking appointment to the post of Office Assistant.
- (g) The petitioner has challenged the impugned order dated 25.11.2021, passed by the first respondent, on the ground of violation of the principles of natural justice and on the ground that the said order has been passed with an inordinate delay, even though the review petition seeking to review the termination order was filed on time



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i.e., immediately after the termination order passed by the second respondent in the year 1989.

- (h) The petitioner has also challenged the impugned order, on the ground that the directions issued by this Court, while directing the first respondent to dispose of the review petition, were also not duly complied with as the first respondent has taken his own sweet time for disposing of the review petition by disposing of the same under the impugned order only in the year 2021.
- (i) When the petitioner is now aged more than 70 years and when the petitioner had remained silent for almost fourteen years from the date when the termination order was issued by the second respondent in the year 1989 against the petitioner, the question of entertaining this writ petition at this stage does not arise. If the petitioner was really aggrieved by the reasons given by the second respondent for terminating him from service, he could have approached this Court for early disposal of the review petition within a reasonable time from the date



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when the termination order was issued by the second respondent. But, however, the petitioner, for reasons best known to him, had approached this Court by filing a writ petition in the year 2003 after a lapse of almost fourteen years from the date of issuance of the termination order by the second respondent.

- (j) This Court had also disposed of the said writ petition by directing the first respondent to dispose of the review petition as expeditiously as possible. However, the petitioner once again waited for the passing of the impugned order by the first respondent and did not choose to approach this Court despite the fact that the first respondent had disposed of the review application only in the year 2021 though a direction was issued by this Court to dispose of the review petition as early as in the year 2003 itself. The conduct of the petitioner would clearly show that he is not really aggrieved by the termination order. If the petitioner was really interested in getting the job and he was really aggrieved by the



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reasons given in the termination order, he would have been vigilant in seeking remedies from this Court. Having not done so and that too when the petitioner is presently aged 70 years and the date of the termination order passed by the second respondent against the petitioner is of the year 1989, the question of entertaining this writ petition, at this stage, does not arise.

6. For the foregoing reasons, this Court does not find any merit in this writ petition.

7. Accordingly, this writ petition is dismissed. No costs.

11.09.2025

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

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ABDUL QUDDHOSE, J.

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