



W.P(MD)No.22998 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.22998 of 2025

and

WMP (MD) Nos.18077 & 18080 of 2025

S.Jeyajothi

... Petitioner(s)

vs.

1. The Director of School Education,
O/o the Director of School Education,
Nungambakkam,
Chennai.

2. The Chief Educational Officer,
Thoothukudi District,
Thoothukudi.

3. The District Educational Officer (Secondary Grade),
Thoothukudi District,
Thoothukudi.

4. The Secretary,
Everest Mariappa Nadar Higher Secondary School,
Kovilpatti,
Thoothukudi District.

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5. A.Ayyanar,
Secretary,
Everest Mariappa Nadar
Higher Secondary School,
Kovilpatti,
Thoothukudi District.

6. The Headmaster,
Everest Mariappa Nadar Higher Secondary School,
Kovilpatti,
Thoothukudi
District.

7. The Internal Complaints Committee,
Represented by its President,
Everest Mariappa Nadar Higher
Secondary School,
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorari calling for the records pertaining to the impugned proceedings Nil dated 14.08.2025 passed by the 4th Respondent and the consequential impugned Enquiry Notice Nil dated 19.08.2025 issued by the 7th Respondent and quash the same as illegal and consequently direct the 2nd respondent to constitute the Local Committee as per Section 6 of the Sexual Harassment of Women At Workplace (Prevention, Prohibition and Redressal) Act, 2013 and conclude the enquiry within the stipulated time fixed by this Court.

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For Petitioner : Mr. H.Mohammed Imran
for M/s Ajmal Associates

For Respondents : Mr.M.Siddharthan
Addl. Government Pleader for R1 to R3
Mr.V.Meenakshi Sundaram for R6 & R7

ORDER

This writ petition has been filed challenging the appointment of the Internal Complaints Committee dated 14.08.2025 and the enquiry notice dated 19.08.2025, issued by the seventh respondent and for a consequential direction to the second respondent to constitute the Local Committee as per Section 6 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and to conclude the enquiry within the stipulated time fixed by this Court.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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WEB COPY3. The learned counsel for the petitioner submits that the petitioner is employed as a Physical Education Teacher in the respondent School. The petitioner lodged a complaint of sexual harassment before the School's Internal Complaints Committee, alleging that the Secretary and the Peon had misbehaved with her. However, the said Secretary, against whom the complaint was made, was appointed as a member of the very same Internal Committee tasked with enquiring into the allegations. The learned counsel contends that such an appointment is unjustifiable, as the person accused cannot be part of the enquiry committee dealing with the allegations made against him.

4. The learned counsel further submits that this Court may issue a direction to the jurisdictional Chief Educational Officer (second respondent) to appoint an independent Internal Complaints Committee to enquire into the complaint made by the petitioner against the School Secretary and the other staff and to pass appropriate orders in accordance with law.

5. The learned counsel appearing for the respondents does not raise any serious objection to the above submission.



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6. In view of the above, the appointment of the Internal Complaints Committee dated 14.08.2025, constituted by the Secretary, insofar as it relates to the enquiry into the petitioner's complaint, is hereby set aside and the consequently, the enquiry notice dated 19.08.2025 is also set aside. The second respondent is directed to obtain a copy of the complaint from the School Management and constitute an impartial Internal Complaints Committee to enquire into the petitioner's complaint. The said Committee shall conduct the enquiry and pass appropriate orders in accordance with law. No costs. Consequently, the connected miscellaneous petitions are closed.

22.08.2025

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



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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
W.P(MD)No.22998 of 2025**

DATED : 22.08.2025