



W.P.(MD)No.28334 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.28334 of 2025

and

W.M.P(MD)No.22025 of 2025

G.Panchu

... Petitioner

Vs.

1. The Secretary to Government (Special),
Tamilnadu School Education Department,
Secretariat,
Chennai-600 001.
2. The District Collector,
District Collector Office,
Virudhunagar District,
Virudhunagar.
3. The District Chief Educational Officer (CEO),
District Chief Educational Office,
Virudhunagar District,
Virudhunagar.
4. The District Education Officer (intermediate level),
District Education Office,
Virudhunagar District,
Virudhunagar.



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5. The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District,
Virudhunganar.

6. The Inspector of Police,
Thriuchuzhi Police Station,
Thiruchuzhi,
Virudhunagar District.

7. Mr.Chithiraivel

8. Mrs.Kanimozhi

9. Mrs.Radha

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1 to 6th Respondents to take appropriate action against the 7th to 9th respondents of Sethupathi Government Higher Secondary School, Thiruchuli, consequently directing the Virudhunagar District and respondents to access the petitioner's son continue his school the petitioner education based on the petitioner's complaint dated 09.09.2025.

For Petitioner : Mr.P.Manokaran

For R1 to R4 : Mr.P.T.Thiraviam
Government Advocate

For R5 and R6 : Mr.S.Prakash
Government Advocate (Crl.Side)

For R7 to R9 : Mr.K.Seemaraj



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ORDER

The above writ petition is filed for a mandamus directing the respondents 1 to 6 to take action against the respondents 7 to 9 and directing the respondents to permit the petitioner's son to continue his education on the basis of his complaint dated 09.09.2025.

2. The petitioner in her affidavit would contend that she has three children viz., two daughters and a son. The elder daughter had completed her 12th standard and the younger daughter is studying 10th standard. Her son in respect of whom the writ petition has been filed is studying in the 9th standard at Sethupathi Government Higher Secondary School, Thiruchuli, Virudhunagar District.

3. It is the contention of the petitioner that while her son was studying in the 8th standard, his mathematics teacher continuously tortured and threatened him using obscene words and threatening him that he would be issued with transfer certificate. The 9th respondent herein was



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also in the habit of abusing the petitioner. On 13.08.2025, when her son had gone to the school, the teachers had filed a false complaint against the petitioner's son to the 7th respondent. On the basis of this false complaint, the 7th respondent had physically abused the petitioner's son and threatened him not to come to the school.

4. The petitioner's son returned home and informed the petitioner that he would not return to the school. On account of this, it is the contention of the petitioner that her son attempted to commit suicide and was consequently, admitted as an inpatient in the Rajaji Hospital Madurai.

5. The petitioner would submit that while his son was undergoing treatment, the 7th respondent had called the close relative of the petitioner one Saravanan and made false allegation against the petitioner's son. The petitioner's son informed them that he had attempted suicide only on account of the fact that the respondents 8 and 9 had made false allegations against him and directed him not to come to the school any more now. Therefore, the petitioner has given a police complaint against the respondents 7 to 9 and the same was lodged in CSR.No.142 of 2025.



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No action was taken and therefore, the petitioner had made a complaint once again to the respondents 1 to 5 and based on the complaint, the 3rd respondent forwarded a letter to the 4th respondent to conduct an enquiry and submit a report within a week. However, enquiry has not been conducted. The petitioner has therefore approached this Court.

6. The 4th respondent had submitted a counter *inter alia* admitting the fact that the petitioner's son was studying 9th standard B Section in the Sethupathi Government Higher Secondary School, Thiruchuli Virudhunagar District. The petitioner had made a representation dated 09.09.2025 making specific allegations against the respondents 7 to 9. Therefore, the 4th respondent had personally visited the school on 26.09.2025 and conducted an enquiry on the representation of the petitioner. During the enquiry, the 7th respondent and another teaching staffs jointly made specific allegations against the petitioner's son stating that on 12.08.2025 after school hours he misbehaved with a girl student studying in the 6th standard B Section in the very same school.



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7. On 13.08.2025, the girl student's mother had approached the Head Master viz., the 7th respondent and made a complaint against the petitioner's son. In order to ascertain the truth of the matter, the 7th respondent had summoned the girl, conducted a personal enquiry during which the girl had confirmed the petitioner's son misbehavior and thereafter, the petitioner's son was also enquired and he admitted the misbehavior and tendered his apology. He was therefore directed to bring his parents to school the next day, that is, on 14.08.2025. However, the petitioner's son did not bring his parents to the school. The 4th respondent would submit that apart from the enquiry, the 7th respondent has also conducted an enquiry with the teaching staffs of the school and they have also confirmed the act and given written statement to the 4th respondent. The 4th respondent was also informed that the issue was placed before the School Management Committee on 29.08.2025 and the committee has passed a resolution dated 29.08.2025, directing that the petitioner's son should be removed from the school.



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8. The committee has been constituted for the welfare of the students. During the enquiry with the 7th respondent, the 4th respondent was also informed about similar misbehavior by the petitioner's son an year ago and in that connection the paternal uncle of the student has expressed his apology and the petitioner son was permitted to continue. After enquiry, the 4th respondent had prepared an enquiry report dated 13.02.2025 which was served to the 3rd respondent and it is at this juncture, the writ petition has come to be filed.

9. The 6th respondent Inspector of Police has filed a counter giving explicit details of the misbehavior done by the petitioner's son. (The details are not being reproduced in the order as the counter of the 6th respondent forms part of the record). The 6th respondent had stated that the petitioner on coming to know about these misbehavior of her son, with a intent to protect her son, has come forward with the present writ petition. The 6th respondent would submit that the writ petition is only a method to intimidate the authorities and the mandamus to take action against the respondents 7 to 9 despite a serious misbehavior on the part of the petitioner's son is not maintainable.



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10. The 7th respondent Headmistress of the school has filed a counter in which she has stated that the complaint lodged by the petitioner against them before the 6th respondent has been closed after enquiry. Thereafter, a complaint dated 09.09.2025 and the present writ petition has been filed. The 7th respondent would submit that there are 481 boy students and 536 girl students in the school and the school has been running without any untoward incident except for the aberration of the petitioner's son. Instead of advising her son, the petitioner has rushed to make allegations against the teachers.

11. On an earlier occasion, there was a similar misbehavior on the petitioner's son where he had written obscene words making sexual remarks against the 8th respondent on the class room wall. The same was informed to his paternal uncle, who had come in person and sought for an apology for the act of his nephew and assured that in future such act would not be conducted. He had also given his phone number to the school authorities.



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12. The 7th respondent would further submit that the petitioner's son was highly irregular in his attendance and was frequently absenting himself from the classes. The school had commenced on 02.06.2025 and the petitioner's son has not attended class from the date of the opening till 19.06.2025 and thereafter, he had attended classes for three days i.e., from 17.06.2025 till 19.06.2025 and once again absented from 20.06.2025 to 30.06.2025. Therefore, in the month of June 2025, the petitioner had attended 21 working days in July 2025. He has attended only for 15 and a half days as against the 22 working days. In the month of August for 9 working days i.e., from 01.08.2025 to 12.08.2025, he has attended class only for 5 days and absented for 4 days.

13. The 7th respondent would further submit that after the school hours on 12.08.2025, the 6th Standard B Section class teacher had called her over phone and informed that the mother of the girl student of the 6th standard B Section had informed her about the petitioner's son misbehavior with her daughter and orally a complaint was lodged by the girl's mother on 13.08.2025 and when enquired, the girl had confirmed the incident and she had also identified the boy student who had committed



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the act. The petitioner's son had admitted the misbehavior and he was asked to bring his parents. Thereafter, the 7th respondent had called the paternal uncle of the petitioner's son and informed him about the misbehavior by the petitioner's son and asked him to go to the school which he did not.

14. This incident was reported by the 7th respondent immediately to the 4th respondent who had directed her to lodge a complaint with the police through Child Helpline No.1098 which was immediately done by the 7th respondent.

15. The 7th respondent further submitted that the police personnel had come and enquired with the girl student and her mother. However, they were not inclined to give a written complaint fearing the repercussions from the boy's family.

16. The 7th respondent would submit that the petitioner's son who had left for home on 13.08.2025 promising to bring his parents had not turned back to the school and they also came to learn that the boy had attempted to commit suicide on 13.08.2025 at night.



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17. The school management committee in the meeting dated 29.08.2025 had taken note of the act of the petitioner's son and decided not to continue him in the school.

18. The counter affidavit of the 8th and 9th respondents would also proceed on the same line that the petitioner's son had misbehaved with the girl student and that he had not turned up with the parents as directed by the school.

19. The learned counsel appearing for the petitioner would only submit that the court should take systematic view in view of the petitioner's age.

20. Heard the learned counsel on either side and perused the materials available on record.



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21. The Court has to take into consideration the act committed by the petitioner's son which has been explicitly stated both in the counter of the 6th and 7th respondents. It is also seen that this is not the 1st incident but earlier the petitioner's son had written obscene words against the teachers which is totally against the ethos and culture of this country. More particularly this State is where the teacher is held in high esteem and is equated to a parent away from home.

22. The petitioner instead of counselling her son has made allegations against the respondents 7 to 9. The 6th respondent after the investigation has reported that the petitioner's son has misbehaved. Therefore, the petitioner seeking a mandamus to take action against the respondents 7 to 9 is without any merits. If this Court were to grant such a mandamus it would be giving a stamp of approval to the petitioner's son's misbehavior.



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23. Accordingly, the writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

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NCC :yes/No

Index :yes/No

Internet:yes/No

rgm

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Chennai-600 001.
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District Collector Office,
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