



W.P(MD)No.31708 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.31708 of 2025

and

W.M.P.(MD)No.24877 of 2025

Arun Kumar

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
President of Internal Complaints Committee (ICC),
Dindigul, Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned proceedings in Na.Ka.No.3444/A6/2025, dated 28.10.2025 issued by the 2nd Respondent and quash the same as illegal and consequently directing the Respondents to strictly comply with the provisions of Rule 7(1), 7(2), 7(3) and 7(4) of the POSH Act, 2013, by providing to the petitioner with the complete set of documents, including the original complaint, all



W.P(MD)No.31708 of 2025

annexures, and the official entries in the File Note, Personal Register (PR), and Distribution Register (DR) under “DISTRICT OFFICE MANUAL” especially under Clauses 16, 20 and 30, before commencing the ICC Enquiry.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondents : Mr.T.Amjadkhan,
Government Advocate.

ORDER

Heard both sides.

2.The writ petitioner is facing a sexual harassment complaint lodged by three headmistresses. The case has seen quite a few rounds of litigation. The petitioner has been summoned to appear before the Internal Complaints Committee. The date set out in the notice has expired. That will not make the writ petition infructuous.

3.The learned Government Advocate informs the Court that one more notice is going to be issued to the petitioner since he did not appear on the earlier occasions.



W.P(MD)No.31708 of 2025

4.It is not the case of the petitioner that the authority issuing the notice lacks the jurisdiction. His core grievance is that certain documents have not been provided. In ground (d) of the affidavit filed in support of the writ petition, the petitioner states that he must be furnished with copies of the original complaint, all supporting documents and the entry made by the Section Clerk in the office file, personal register and distribution register. According to the petitioner, these documents are essential to prove his defence that the proceedings are vitiated by *malafides*.

5.On this ground, the notice cannot be challenged. The petitioner can very well appear before the committee concerned. The petitioner is permitted to submit a formal application seeking copies of the documents which according to him are necessary for his defence. The petitioner shall submit such an application both in person before the committee as well as through e-mail. The committee has to pass a formal order on his application and only thereafter, subject him to further proceedings under the relevant statute. This in my view would more than protect the interest of the writ petitioner.



W.P(MD)No.31708 of 2025

WEB COPY

6.This writ petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

24.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
- 2.The Chief Educational Officer,
President of Internal Complaints Committee (ICC),
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W.P(MD)No.31708 of 2025



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W.P(MD)No.31708 of 2025

G.R.SWAMINATHAN, J.

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W.P(MD)No.31708 of 2025

24.11.2025