



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

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

WP No. 24374 of 2026

AND

WMP NO. 26555 OF 2026

WEB COPY

P.Muruganantham

..Petitioner(s)

Vs

1. The Director of Elementary Education
College Road, Chennai-06.
2. The Joint Director of School Education
(Elementary)
College Road, Chennai-06.
3. The Chief Educational officer
Erode District, Erode.
4. The District Educational officer (Elementary)
Coimbatore District, Coimbatore.

..Respondent(s)

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the 1st respondent to pass orders on the Appeal dated 29.06.2025 filed by the petitioner against the order of dismissal dated 05.05.2025 imposed by the original authority, the 2nd respondent in Na.Ka.No.870/A2/ 2024 dated 05.05.2025 framed by Disciplinary Authority, explanation of petitioner, Inquiry Report Submitted by the Inquiry Officer in Na.Ka. No.1121/ A1/ 2024 dt 17.02.2025, explanation dtd 22.03.2025 of petitioner, order of dismissal imposed by original authority in Na.ka. No.870/A2/ 2024 dated 05.05.2025 and the Memorandum of Grounds of Appeal submitted by the petitioner on 29.06.2025 alone.



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For Petitioner(s):

R.Saseetharan

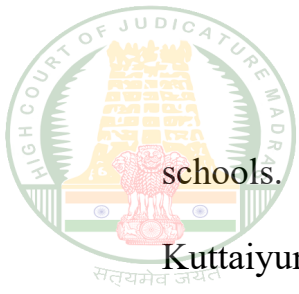
For Respondent(s):

Mr.L.Gokulraj,
Standing Counsel**Order**

This writ petition has been filed for the following relief:

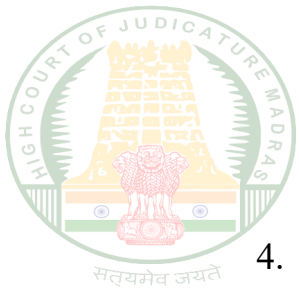
“To issue a writ of mandamus directing the 1st respondent to pass orders on the Appeal dated 29.06.2025 filed by the petitioner against the order of dismissal dated 05.05.2025 imposed by the original authority, the 2nd respondent in Na.Ka.No.870/A2/ 2024 dated 05.05.2025 framed by the Disciplinary Authority, explanation of the petitioner, Inquiry Report Submitted by the Inquiry Officer in Na.Ka. No.1121/ A1/ 2024 dated 17.02.2025, explanation dated 22.03.2025 of the petitioner, order of dismissal imposed by the original authority in Na.ka. No.870/A2/ 2024 dated 05.05.2025 and the Memorandum of Grounds of Appeal submitted by the petitioner on 29.06.2025.”

2. The petitioner would submit that he was appointed as a Secondary Grade Teacher on 20.10.2004 and has put in more than 21 years of service with an unblemished record. During his service, he was transferred to various



schools. Based on a complaint made by the Headmaster, Middle School, Kuttaiyur, an FIR under the POCSO Act was registered against him. Thereafter, he was placed under suspension and a charge memo dated 03.09.2024 under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules was issued. The petitioner submitted his explanation denying the allegations and requested that the departmental proceedings be deferred till the conclusion of the criminal case. According to him, the enquiry was conducted without examining witnesses in his presence, without furnishing the relied upon documents and in violation of the principles of natural justice. Thereafter, by proceedings dated 05.05.2025, he was dismissed from service. Aggrieved by the order of dismissal, the petitioner preferred a statutory appeal dated 29.06.2025 before the first respondent. During the pendency of the appeal, the appellate authority ordered a fresh/re-enquiry through a three-member committee and further evidence was collected. The petitioner would further submit that the appellate authority has no power to order such a re-enquiry after a major penalty has already been imposed. Since the appeal has not yet been disposed of, the petitioner has filed the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for respondents.



4. Considering the limited scope of the prayer sought in this writ petition, and without expressing any opinion on the merits of the case, this Court directs the 1st respondent to consider and dispose of the petitioner's statutory appeal dated 29.06.2025, on merits and in accordance with law, within a period of one (1) month from the date of receipt of a copy of this order. It is open to the petitioner to raise all the defences including with regard to the subsequent enquiry that has been held during the pendency of the appeal. No costs. Consequently, connected miscellaneous petition is closed.

29-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SRN

To

1. The Director of Elementary Education
College Road, Chennai-06.
2. The Joint Director of School Education (Elementary)
College Road, Chennai-06.
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Erode District, Erode.
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Coimbatore District, Coimbatore.



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P.T.ASHA J.

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