

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.168 of 2015

and M.P.No.1 of 2015

R.Abdul Salam [Petitioner]

Vs

- 1 The Secretary to Government
School Education Department Fort St. George
Chennai 9
- 2 The Joint Director of School Education
College Road Chennai 6
- 3 The District Educational Officer
Trichy 620 001
- 4 The Secretary and Correspondent
Khajamian Higher Secondary School
Khaja Nagar Trichy 620 020 [Respondents]

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus directing the 1st respondent to consider the representation dt 1.8.2014 for regularizing the period of suspension from 13.1.1999 to 1.12.2002 (which was not approved by the competent authority/3rd respondent)

For Petitioner : Mr.R.Saravanakumar
For Respondents : Mr.M.S.Ramesh, AGP (R1-3)

O R D E R

The petitioner was suspended from service initially and thereafter he was terminated. Subsequently, pursuant to a settlement made in O.S.No.1153 of 2001 on the file of District Munsif Court, Trichy, the petitioner was reinstated with effect from 02.12.2002 with all monetary benefits. The petitioner has given an undertaking

that he will not claim backwages for the period in question.

2. It is the grievance of the petitioner that the 2nd respondent failed to regularise the period of suspension on the ground that the 1st respondent is the competent authority. The petitioner, thereafter, submitted a representation to the 1st respondent on 01.08.2014 requesting to regularise the period of suspension from 13.01.1999 to 01.12.2002 and to pay him the consequential benefits. Since there was no follow up action taken by the 1st respondent, the petitioner is before this Court.

3. The 1st respondent is directed to consider and dispose of the representation submitted by the petitioner dated 01.08.2014 on merits and as per law. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of with the above direction. No costs. The connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/ True copy /

Sub Assistant Registrar

rg

To

1 The Secretary to Government
School Education Department Fort St. George
Chennai 9

2 The Joint Director of School Education
College Road Chennai 6

3 The District Educational Officer
Trichy 620 001

4 The Secretary and Correspondent
Khajamian Higher Secondary School
Khaja Nagar Trichy 620 020

+ one cc to Mr.R.Saravana Kumar, Advocate SR.8535

+ one cc to Govt. Pleader, High Court, Madras SR.8435

W.P.No.168 of 2015

BVR(CO)
JK 21/02/15



WEB COPY