

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25934 of 2015

S.Anbumani

... Petitioner

Vs.

The Inspector General of Registration
Santhome Road
Santhome
Chennai - 600 028.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the representation submitted by the petitioner on 25.07.2015 and to pass orders thereon within a time limit that may be fixed by this Honourable Court.

For Petitioner : Mr.S.Vijayan

For Respondent : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner was selected by the Tamil Nadu Public Service Commission and appointed to the post of Junior Assistant and was allotted to the Registration Department and he joined the said post on 23.03.1989 and his services were also regularised on 07.06.1991. Subsequently, the Tamil Nadu Public Service Commission has called upon him to submit the testimonials pertaining to his educational qualification for the purpose of verifying whether he has passed Typewriting Higher Grade and according to the petitioner, he never passed Typewriting Higher Grade and he has also submitted his original testimonials and also informed them accordingly. Since the petitioner did not produce certificate sought for by the Tamil Nadu Public Service Commission, he was dismissed from service on 12.07.1994 and he filed O.A.No.4841 of 1994 on the file of the Tamil Nadu Administrative Tribunal challenging the order of cancelling the appointment and also O.A.No.4835 of 1994 on the file of the Tamil Nadu Administrative Tribunal challenging the order of dismissal.

3. Simultaneously, criminal prosecution was also launched and the case after investigation has culminated in a charge sheet in C.C.No.2950 of 2001 for the commission of offences punishable under Sections 420 r/w 109, 380 r/w.109, 467 r/w.109, 471 r/w.109 of IPC. The Trial Court has convicted the petitioner and challenging the same, the petitioner filed appeal in C.A.No.187 of 2003 on the file of the VII Additional Sessions Judge, Chennai and vide judgment dated 07.09.2004, he was honourably acquitted. Thereafter, the petitioner was repeatedly corresponding with the respondents for his reinstatement in service with all consequential benefits and since no orders have been passed, came forward to file this writ petition.

4. Heard the submissions of Mr.S.Vijayan, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Advocate who accepts notice on behalf of the respondent.

5. This Court in the light of the facts and circumstances directs the respondent to take into consideration the order of acquittal dated 07.09.2004 made in C.A.No.187 of 2003 passed by the VII Additional Sessions Judge, Chennai and pass orders on the representation dated 25.07.2015 submitted by the petitioner on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

The Inspector General of Registration
Santhome Road
Santhome, Chennai - 600 028.

1 cc to Mr.S. Vijayan, Advocate, Sr. 44643
1 cc to Government Pleader, Sr. 44458

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