

In the High Court of Judicature at Madras

Dated: 10.09.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.28444 of 2015

D.Udayan

.... PETITIONER

Vs

1. The Director of School Education,
College Road, Chennai - 600 006.
2. The District Elementary Education Officer,
O/o District Elementary Education Officer,
Raja Veethi, Coimbatore - 1.
3. The Assistant/Additional Elementary Education Officer,
Valparai, Coimbatore District.

.... RESPONDENTS

PETITION under Article 226 of The Constitution of India praying for the issuance of Writ of Mandamus directing the 2nd and 3rd respondents to dispose of the representation dated 27.5.2015 within the stipulated period.

For Petitioner : Mr.G.Thangavel

For Respondents : Mr.R.Vijayakumar, AGP

सत्यमेव जयते
O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner, while working as Headmaster, was issued with a charge memo under Rule 17(B) of the Tamil Nadu Civil Servants (Discipline and Appeal) Rules on 12.2.2013 with regard to the alleged violation of the Tamil Nadu Government Servants Conduct Rules. The petitioner has submitted a written statement of defence on 27.2.2013 denying the charges. The petitioner was also visited with a criminal proceedings under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1998 and under Section 506(i) of the Indian Penal Code and under Section 67 & 67A of the Information Technology

Act. According to the petitioner, the criminal proceedings have been dropped. During the pendency of the said proceedings, the petitioner was placed under suspension and challenging the same, he filed a Writ Petition in W.P.No.20513 of 2015. This Court, by order dated 27.10.2014 disposed of the Writ Petition directing the concerned respondent to dispose of the representation submitted by the petitioner for revoking the order of suspension. Accordingly, the order of suspension passed against the petitioner was revoked and he was re-instated in service from 06.03.2015.

3. The grievance now expressed by the petitioner is that the period between the date of suspension i.e., 21.1.2013 and the date of reinstatement, i.e., 06.03.2015, is yet to be regularised and in this regard, he submitted a representation to the third respondent on 04.04.2015 as well as another representation dated 27.5.2015 to the second and third respondents. Since no orders have been passed, the petitioner came forward to file this Writ Petition.

4. Heard the submissions of the learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5. This Court, taking into consideration the limited scope of the prayer and without going into the merits of the claim projected by the petitioner either in this Writ Petition or in the representation, directs the second respondent to consider the representation of the petitioner dated 27.5.2015 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The Writ Petition is disposed of accordingly. No costs.

-Sd/-

Assistant Registrar(cs-II)

//True copy//

Sub Assistant Registrar

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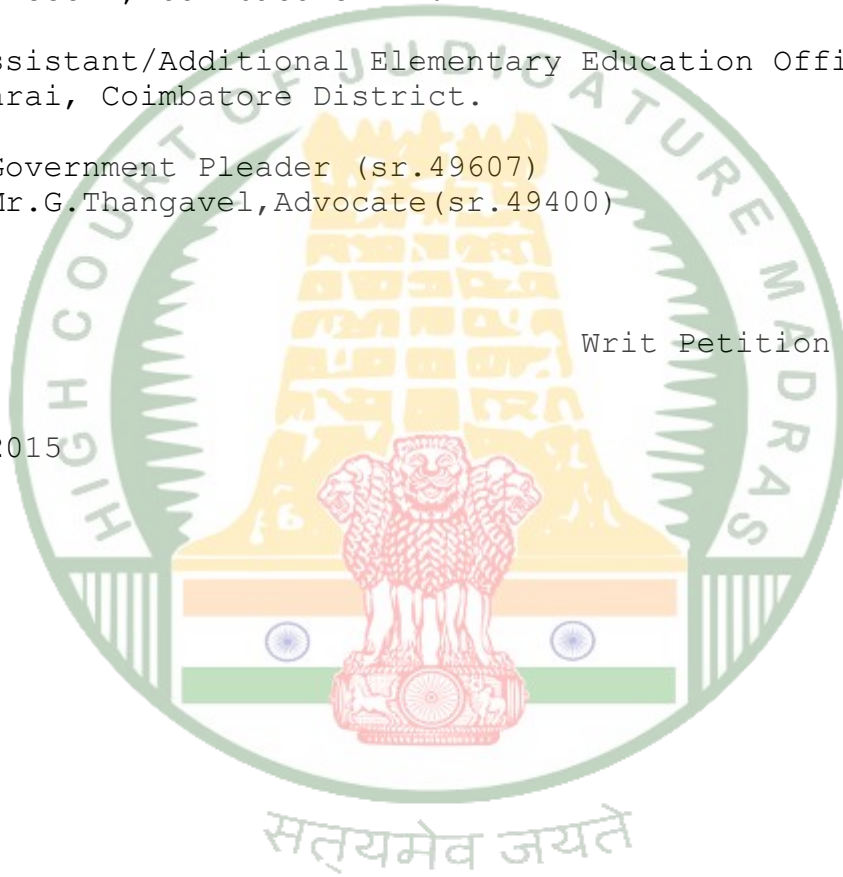
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+1 cc to Government Pleader (sr.49607)

+1 cc to Mr.G.Thangavel, Advocate (sr.49400)

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sai(co)
cp 29/09/2015



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