

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28522/2015 & MP.No.1/2015

D.Thanikachalam

... Petitioner

Versus

- 1.The Secretary
State of Tamil Nadu
Adi Dravidar & Tribal Welfare Office
Fort St George, Chennai 600 009.
- 2.The Director
Adi Dravidar & Tribal Welfare Office
Ezhilagam, Chepauk, Chennai 600 005.
- 3.The District Welfare Officer
Office of the District Adi Dravidar
and Tribal Welfare office, Collectorate
Tiruvannamalai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents herein to regularise the petitioner's suspension period from 15.11.2010 to 30.12.2011 and to pay the increment, rest of the 50% of salary estimated the sum of Rs.2,01,829/- and other benefits if any.

For Petitioner : Mr.N.Peruvazhuthi
For RR 1 to 3 : Mr.S.Gunasekaran, GA

O R D E R

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

2 The petitioner while working as a Luskar in the office of the District Adi Dravidar and Tribal Welfare at Tiruvannamalai, was placed under suspension under Sub Rule [e] Rule 17 of the Tamil Nadu Civil Services [Discipline and Appeal] Rules.

3 The petitioner has submitted a representation praying for revocation of the order of suspension and his reinstatement in service and vide proceedings dated 30.12.2011, the petitioner was reinstated in service and after joining the duty, the petitioner prayed for regularisation of the period of suspension as well as conferment of the financial benefits and since no orders have been passed, he came forward to file this writ petition.

4 Learned counsel appearing for the petitioner would submit that in this regard, a legal notice was also sent on behalf of the petitioner on 28.07.2015 to the respondents and the 3rd respondent, on receipt of the same, has sent a reply on 25.08.2015 stating that the matter is pending consideration before the Directorate of Adi Dravidar and Tribal Welfare Department and as and when the intimation / information is received, further steps would be taken to consider the petitioner's request.

5 Heard the submissions of the learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

6 Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances, directs the 2nd respondent to act on the proposal of the 3rd respondent with regard to the regularisation of the period of suspension, viz., from 15.11.2010 to 30.12.2011, as well as conferment of the consequential benefits 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 herein.

7 The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

AP

To

1.The Secretary

State of Tamil Nadu

Adi Dravidar & Tribal Welfare Office

Fort St George, Chennai 600 009.

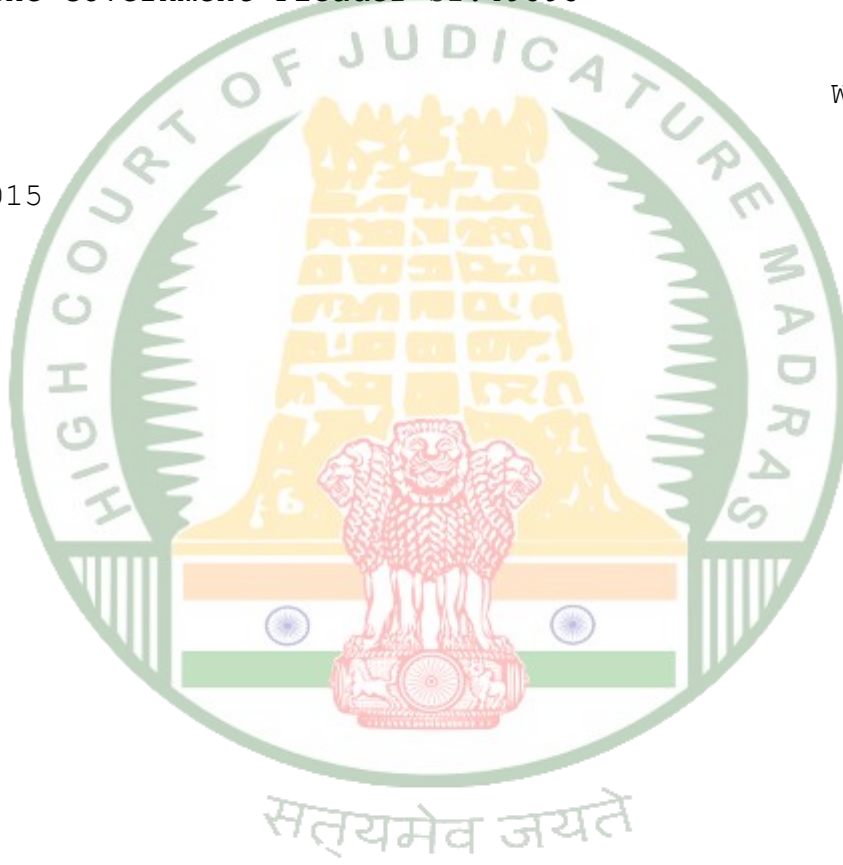
2.The Director
Adi Dravidar & Tribal Welfare Office
Ezhilagam, Chepauk, Chennai 600 005.

3.The District Welfare Officer
Office of the District Adi Dravidar
and Tribal Welfare office, Collectorate
Tiruvannamalai.

+1 cc to B.P.N.Peruvazhuthi Advocate sr.49298
+1 cc to the Government Pleader sr.49595

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