

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.9639 of 2015

1 V.Venkatesan .. Petitioner
Vs.

1 The Director of Elementary Education
College Road, Chennai-6
2 The District Elementary Educational Officer
Krishnagiri .. Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the 1st respondent herein to regularize the period of petitioner's suspension from 15.8.2011 to 23.7.2012 as duty.

For Petitioner : Mr.A.Manimaran
For Respondents : Mr.M.S.Ramesh, AGP

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Government Pleader on behalf of the respondents. By consent, the Writ Petition is taken up for disposal during the time of admission.

2. While the petitioner was working as Assistant Elementary Educational Officer, Bargur in the District of Krishnagiri, he was placed under suspension on account of his involvement in a criminal case. The Police after conducting investigation laid a charge sheet before the learned Judicial Magistrate II, Krishnagiri in C.C.No.16 of 2012. The petitioner filed a quash petition before this Court and by order dated 21.3.2012 in Criminal Original Petition No.29840 of 2012, the criminal proceedings were quashed. Thereafter, the first respondent passed an order dated 20.07.2012 revoking the suspension with immediate effect. It is the grievance of the petitioner that notwithstanding the revocation of the order of suspension, further proceedings were not taken by the first respondent to regularize the period of suspension. The petitioner wanted the first respondent to regularize the period of suspension. The petitioner by way of this Writ Petition seeks a direction to the first respondent to regularize the period of suspension.

3. There is nothing on record to contend that the petitioner has given a representation before filing this Writ Petition.

4. The petitioner is given liberty to make a representation to the first respondent to regularize the period of suspension from 15.8.2011 to 23.07.2012. In case any such representation is given, the same shall be considered and disposed of by the first respondent on merits and as per law as expeditiously as possible and in any case, within a period of three months from the date of receipt of such representation.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1 The Director of Elementary Education
College Road, Chennai-6

2 The District Elementary Educational Officer
Krishnagiri

+1 cc to Government Pleader, SR.18743.

+1 cc to Mr.A.manimaran, Advocate, SR.18476.

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W.P.No.9639 of 2015

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