



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.10.2016
CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.17580 of 2016

A.Shajahan

... Petitioner

-vs-

1. The Secretary to Government,
Handlooms, Handicrafts, Textiles
and Khadi (E2) Department,
Secretariat, Chennai-600 009.
2. The Director of Handlooms and Textiles,
Kuralagam, II Floor,
Chennai-600 108.
3. The Deputy Director of Handlooms and Textiles,
Collectorate's Complex, IV Floor,
Salem-1.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the third respondent i.e. the Deputy Director of Handlooms and Textiles, Salem to implement the orders of the Government passed in G.O.Ms.No.84 Handlooms Handicrafts Textiles and Khadi (E2) Department dated 31.03.2016 and as per the further directions issued by the Director of Handlooms and Textiles, Chennai in his letter No. RC. 9347/2016/E1 dated 26.05.2016 regarding payment of duty salary for the period from 17.08.1999 to 10.12.2000 to the petitioner within a specified time frame.

For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.M.Alagudevan
Spl. Govt. Pleader

O R D E R

The writ petition has been filed, seeking to direct the third respondent to implement the orders of the Government passed in G.O.Ms.No.84 Handlooms Handicrafts Textiles and Khadi (E2) Department dated 31.03.2016 and the directions issued by the Director of Handlooms and Textiles, Chennai in his letter No.RC.9347/2016/E1 dated 26.05.2016, regarding payment of duty salary for the period from 17.08.1999 to 10.12.2000 to the petitioner.



2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that he served as Assistant Director of Handlooms and Textiles, Salem and retired from service on 30.04.2016; that while serving as Handloom Officer / Special Officer in Anna Weavers Co-operative Societies, Ramanathapuram, a disciplinary action was initiated by the Assistant Director of Handlooms and Textiles, Paramakudi alleging that he caused loss to the tune of Rs.46,954/- to the Anna Weavers Co-operative Society, Ramanathapuram; that on his explanation, though the Enquiry Officer found the petitioner not guilty of the charges, the Disciplinary Authority differed from the report of the Enquiry Officer and inflicted the punishment of censure; that the staff concerned remitted the alleged loss of Rs.46,954/- and the period of suspension from 17.08.1999 to 10.12.2000 (482 days) was treated as leave to which the petitioner was eligible; that the petitioner challenged the said order before this Court in W.P.(MD) No.30677 of 2015, which was allowed in his favour and this Court set aside the above said orders and directed the authority concerned to treat the period of suspension as duty with monetary benefits, pursuant to which, the 2nd respondent directed the 3rd respondent to disburse the salary and allowance to the petitioner from the Government Account and since the said order of the 2nd respondent has not been carried out, the petitioner made a representation on 15.06.2016 to the 3rd respondent to implement the orders of the 2nd respondent and that the said representation did not evoke any response and hence the petitioner is before this Court.

4. Learned Special Government Pleader would submit that the third respondent will implement the order within a period of two weeks from the date of receipt of a copy of this order.

5. In view of the above submission, this Writ Petition is disposed of with direction to the 3rd respondent to implement the orders of the 1st and 2nd respondents within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Secretary to Government,
Handlooms, Handicrafts, Textiles
and Khadi (E2) Department,
Secretariat, Chennai-600 009.



2. The Director of Handlooms and Textiles,
Kuralagam, II Floor,
Chennai-600 108.

3. The Deputy Director of Handlooms and Textiles,
Collectorate's Complex, IV Floor,
Salem-1.

+1 cc to Mr.S.Viswalingam,Advocate, Sr.No:58195
+1 cc to M/S Special Government Pleader, Sr No.58317

W.P (MD) No.17580 of 2016
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