

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4603/2017

K.Veerangan

.. Petitioner

Vs

- 1 The Additional Director General of Prisons,
Egmore,
Chennai-8.
- 2 The Deputy Inspector General of Prisons,
Coimbatore Range,
Coimbatore.
- 3 The Superintendent,
Central Prison, Salem. .. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondent to consider the petitioner representation dated 09.11.2016 and consequently directing the respondents to reconsider for the payment of back wages to the petitioner for the period from the year 2004 to 2014 and pay the back wages amount.

For Petitioner : Ms. U.R. Marxla Prabha for
Mr.C.Manoharan

For Respondents: Mr.M.E.Raniselvam, AGP

ORDER

By consent, the writ petition is taken up for final disposal. Mrs.M.E.Rani Selvam, learned Additional Government Pleader accepts notice on behalf of the respondents.

2 The petitioner, while working as Grade-II Warden in the services of the Central Prison, Salem, was visited with disciplinary proceedings and was compulsorily retired and he made a challenge to the said order by filing WP.No.30836/2005 and vide order dated 28.03.2014, this Court has set aside the order of compulsory retirement with a direction directing the respondents therein to reinstate the petitioner with continuity

of service without back wages and further directed the respondents to grant all other service and attendant benefits within the stipulated time. The petitioner was reinstated in service and thereafter, he made repeated representations for payment of back wages and in the interregnum, he has also retired from service during May 2016 and is in receipt of pension from the month of June 2016. The petitioner, in the light of the promise made by the respondents that he may be paid with back wages, has also submitted a representation dated 09.11.2016 to the respondents and in spite of receipt and acknowledgment, so far, no orders have been passed and hence, the petitioner came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and Mrs.M.E.Rani Selvam, learned Additional Government Pleader appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the respondents 1 to 3 to consider and dispose of the petitioner's representation dated 09.11.2016 on merits and in accordance with law and pass appropriate orders 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.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

AP

To

1 The Additional Director General of Prisons,
Egmore,
Chennai-8.

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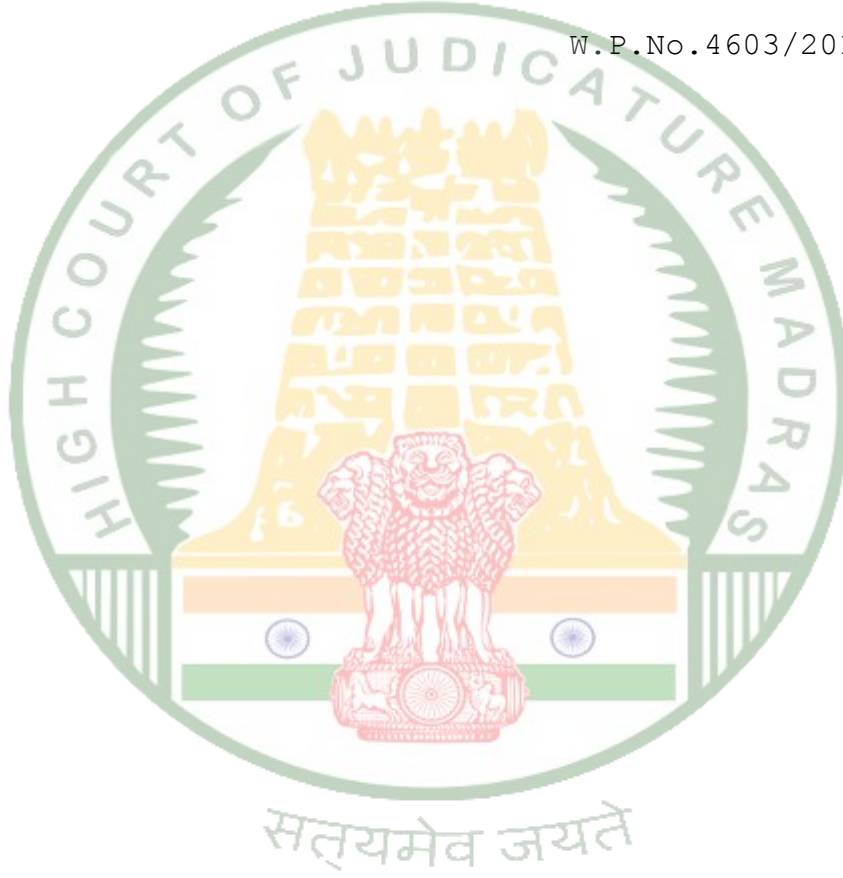
2 The Deputy Inspector General of Prisons,
Coimbatore Range,
Coimbatore.

3 The Superintendent,
Central Prison, Salem.

+1cc to the Government Pleader, S.R.No.12127

mg (CO)
md (08/03/2017)

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