

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14741 of 2017

N.Narasimhan

... Petitioner

-vs-

1. The Commissioner of Agriculture
Chepauk, Chennai 600 005.
2. The Joint Director of Agriculture
Krishnagiri.
3. The Joint Director of Agriculture
Dharmapuri.

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to pass orders on the proposals made in Letter No.A3/5931/2005 dated 22.06.2016 seeking regularisation of the suspension period as per Fundamental Rules, within a time to be stipulated by this Hon'ble Court.

For Petitioner ::Mr.L.Chandrakumar

For Respondents::Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petitioner came to the services of the respondent Department through compassionate appointment as Junior Assistant on 21.6.99. After sometime, in view of certain alleged negligence in discharging his duties, he was placed under suspension on 31.12.2003. Simultaneously, he was also criminally prosecuted before the learned Judicial Magistrate, Uthangarai. However, he was given the benefit of the provisions of the Probation of Offenders Act. Pursuant thereto, the charges framed under Rule 17(b) against the petitioner were also dropped

on 26.5.2016. Thereafter, a representation was given to regularise the period of suspension, namely, 1.1.2003 to 5.2.2015. Accepting the request of the petitioner, a proposal has been made by the Joint Director of Agriculture, Krishnagiri, the second respondent herein to the Commissioner of Agriculture, Chennai, the first respondent herein vide letter No.A3/5931/2005 dated 22.6.2016. But till date, the same having been not disposed of by passing final order, the petitioner has been advised to come to this Court for a direction to the first respondent to pass appropriate orders on the said proposal.

2. Mr.T.M.Pappiah, learned Special Government Pleader, taking notice on behalf of the respondents, agreeing with the fact that the proposal has already been made by the second respondent to the first respondent, sought reasonable time to pass appropriate orders on the said proposal.

3. In view thereof, this Court hereby directs the first respondent to pass appropriate final orders on the proposal dated 22.6.2016 sent by the second respondent, on merits, within a period of four weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Commissioner of Agriculture,
Chepauk, Chennai 600 005.
2. The Joint Director of Agriculture,
Krishnagiri.
3. The Joint Director of Agriculture,
Dharmapuri.

+1cc to Mr.L.Chandrakumar, Advocate Sr.40838
+1cc to the Government Pleader Sr.42209

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