



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.05.2017
CORAM:

THE HON'BLE MR.JUSTICE N.SESHASAYEE

W.P(MD)No.9200 of 2017
and
W.M.P(MD)No.6992 of 2017

S.Manoharan

... Petitioner

Vs.

- 1.The Secretary to the Government,
Home (Courts) Department,
Secretariat, Fort.St.George,
Chennai 600 009.
- 2.The Deputy Director,
Office of the Advocate General of Tamilnadu,
Chennai.
- 3.The Government Pleader,
High Court,
Chennai-600 104.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents herein to consider the representation dated 27.03.2017 and to give the petitioner promotion on par with his juniors.

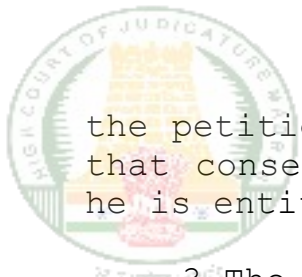
For Petitioner : Mr.Gangaiamaran

For Respondents : Mr.T.R.Janarthanan
Additional Government Pleader

O R D E R

The petitioner has filed the present petition to consider his representation, dated 27.03.2017 by the respondents 1 and 2 and to give him promotion on par with his juniors.

2.The learned counsel for the petitioner submitted that the petitioner has been as Junior Assistant in the office of the Special Government Pleader, that in view of the criminal case pending against him, departmental proceedings were initiated and that the trial court has convicted the petitioner and thereafter,



the petitioner has preferred criminal appeal and that was allowed; that consequent on his acquittal, he was reinstated and that now, he is entitled to get the salary after his acquittal.

3. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner was dismissed in 2010 following his conviction and he has been reinstated in 2017 and therefore, he is not entitled to any salary for the period, he is not working.

4. Hence, this writ petition is disposed of directing the 2nd respondent to consider the representation of the petitioner dated, 27.03.2017 within a period of 8 weeks from the date of receipt of a copy of this order, after giving him due and effective opportunity of hearing in this matter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to the Government,
Home (Courts) Department,
Secretariat, Fort.St.George,
Chennai 600 009.

2. The Deputy Director,
Office of the Advocate General of Tamilnadu,
Chennai.

3. The Government Pleader,
High Court,
Chennai-600 104.

+1 cc to Mr.M.Chellapandian , Advocate in SR.No. 56800
+1 cc to Special Government Pleader, SR.No.56701

mm

AE/RSK/SAR1/26.05.2017/2P/6C

**W.P (MD) No.9200 of 2017
and**

**W.M.P (MD) No.6992 of 2017
17.05.2017**