

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.No.9912 of 2018

S.Indira

.. Petitioner

Vs

1. The District Collector,
Vellore District,
Vellore and District.

2. The District Project Officer/Child Development Project Officer,
Child Development,
Vellore-600 009.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to pay the salary to the petitioner herein for the period from 22.10.2012 to 12.03.2017 by considering her representation dated 19.06.2017 and 04.01.2018 within a stipulated time.

For Petitioner : Mr.K.A.Ravindran

For Respondent : Mr.V.Kadhirvelu
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for a direction to the respondents herein to pay the salary to the petitioner herein for the period from 22.10.2012 to 12.03.2017 by considering her representation dated 19.06.2017 and 04.01.2018 within a stipulated time.

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

3. It appears that the petitioner while working as Anganwadi worker have been involved in a criminal case, for which she was suspended from service. But, later on she has been acquitted from the criminal case by the Judicial Magistrate, Katpadi, by an order dated 11.11.2016 in CrI.M.P.No.3426 of 2016. Thereafter, his suspension order was revoked and the petitioner has been reinstated in service.

Since, the petitioner was denied the salary for the suspension period, she petitioner made a representation to the respondents on 19.06.2017 seeking to pay salary during the period she was out of duty. The first respondent by the proceedings dated 13.10.2017, directed the second respondent to take action on the petitioner's representation. As no orders were passed, the petitioner sent another representation dated

04.01.2018 to the respondents seeking to consider her case. As the same also did not evoke any response, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

4. Though the prayer sought for in this Writ Petition is for a larger relief, the learned counsel appearing for the petitioner at the time of hearing of this Writ Petition, would submit that it would suffice if the second respondent is directed to dispose of the representations of the petitioner dated 19.06.2017 and 04.01.2018 within a stipulated period.

5. The learned Special Government Pleader appearing for the respondents would submit that if such representation is pending, there is no impediment in consideration of the same, if directed by this Court.

6. Considering the aforesaid submissions made by learned counsel appearing on either side, this Court directs the second respondent to consider and dispose of the representations of the petitioner dated 19.06.2017 and 04.01.2018, if pending and pass orders on merits and in accordance with law, within a period of eight weeks from the

SATRUGHANA PUJAHARI.,J

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date of receipt of a copy of this order. However, it is made clear that this Court has not expressed any opinion on the merits of the representation. No costs.

05.06.2018

Index : Yes/No
Internet : Yes
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To

1. The District Collector,
Vellore District,
Vellore and District.
2. The District Project Officer/Child Development Project Officer,
Child Development,
Vellore-600 009.

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04.06.2018

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