

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.18830 of 2017

R.Chendrayan

...Petitioner

Vs

1.The District Collector
Krishnagiri District
Krishnagiri.

2.Block Development Officer,
Uthangarai Panchayat Union
Krishnagiri District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, it is prayed that this Hon'ble Court may be pleased to issue appropriate Writs, Orders or Directions and more particularly issue a writ in the nature of Mandamus, directing the 1st Respondent to regularize the period from 04.12.2012 till 16.04.2015 as 'duty period' by considering the petitioner's representation dated 21.04.2016 within a reasonable time to be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mrs.A.Srijayanthi,
Spl GP for R1 & R2

सत्यमेव जयते
O R D E R

The grievance of the writ petitioner is that the 1st respondent has not regulate the period from 04.12.2012 till 16.04.2015 as duty period by considering the representation submitted by the writ petitioner on 21.04.2016.

2.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner was transferred and the petitioner has challenged the order of transfer and during the interregnum period, he had not joined duty. However, he made a representation to regulate the interregnum period, enabling him to get all his service benefits and no action has been taken till today.

3.The learned Special Government Pleader appearing on behalf of the respondents states that the writ petitioner is not eligible to treat the period as duty period in view of the fact that the petitioner has not obeyed the order of transfer issued by the superior officials. However, the authorities competent has to consider the representation for passing necessary orders in this regard.

4.Thus, without going into the merits of the matter, the 1st respondent is directed to consider the representation submitted by the writ petitioner on 21.04.2016 and pass orders and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representations and all other documents along with the order passed in this writ petition.

5.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-IX)

// True Copy//

Sub Assistant Registrar

To

1.The District Collector
Krishnagiri District
Krishnagiri.

2.Block Development Officer,
Uthangarai Panchayat Union
Krishnagiri District.

+1cc to Mr.R.NEELAKANDAN, Advocate SR.No.55378
+1cc to Government Pleader SR.No.55669

SMI/21.08.2018

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