

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2018

CORAM:

THE HON'BLE Dr. JUSTICE S.VIMALA

Writ Petition No.31144 of 2018

A.Anandaraj

... Petitioner

..vs..

1. The District Collector
(Noon Meal Section), Tirupur, Tirupur District
- 2 The Commissioner
Gudimangalam Panchayat Union Gudimangalam
Tirupur District ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to pass orders on the Representations dated 04.04.2018 and 16.04.2018 and reinstate the service of the petitioner as Noon Meal Organizer.

For Petitioner : Mr. Muthumani Doraisami
For Respondents : Mr. A.N.Thambidurai, Spl.GP., for R-1,
Mr. Anandan, Govt. Advocate, for R-2.

O R D E R

This writ petition has been filed by the petitioner seeking directions to the respondents to reinstate the petitioner in the services as Noon Meal Organizer.

2. Mr.A.N.Thambidurai, learned Special Government Pleader, takes notice for the first respondent and Mr.Anandan, learned Government Advocate, takes notice for the second respondent. With the consent of the learned counsel appearing for both sides, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner was initially appointed as Noon-Meal Organizer in the year 1983 in Pulavadi Noon-Meal Center, Gudimangalam Circle. When the petitioner was working as Noon Meal Organizer in V.Vellore Government High School, he was placed under suspension for the alleged allegation that he had a quarrel with one Mr.K.Aabale and his daughter, Emeammal, who are the neighbours of the petitioner. For the said allegation, a

criminal case was taken on file in C.C.No.285 of 2012 on the file of the learned Judicial Magistrate No.1, Udumalpet and ultimately, the petitioner was acquitted on 26.03.2018.

4. Subsequent to the acquittal, the petitioner made representations to the respondents on 04.04.2018 and 16.04.2018 seeking to reinstate him into the service. The first representation dated 04.04.2018 was forwarded to the first respondent on 12.04.2018. Further, a representation was also made by the petitioner on 02.06.2014 seeking to pay subsistence allowance and the same is pending consideration before the first respondent. The first respondent has directed the second respondent to take appropriate action on the representations given. Under the circumstances, this writ petition has been filed by the petitioner seeking a direction to the respondents to pass orders on the representations dated 04.04.2018 and 16.04.2018, for his reinstatement into service, consequent to the acquittal of the petitioner from the criminal case.

5. Needless to point out that once the suspension order is passed on account of the pending criminal case and when the criminal case ended in acquittal, automatically, the petitioner is entitled for reinstatement. During the period of suspension, payment of subsistence allowance ought to have been paid. However, the plight of the petitioner has not been considered, even after pointing out the same in the representations made by him.

6. In view of the above, the first respondent is directed to consider the representations of the petitioner, dated 04.04.2018 and 16.04.2018 and to pass appropriate orders, as expeditiously as possible, at any rate, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

सत्यमेव जयते
-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

srk

To

1. The District Collector

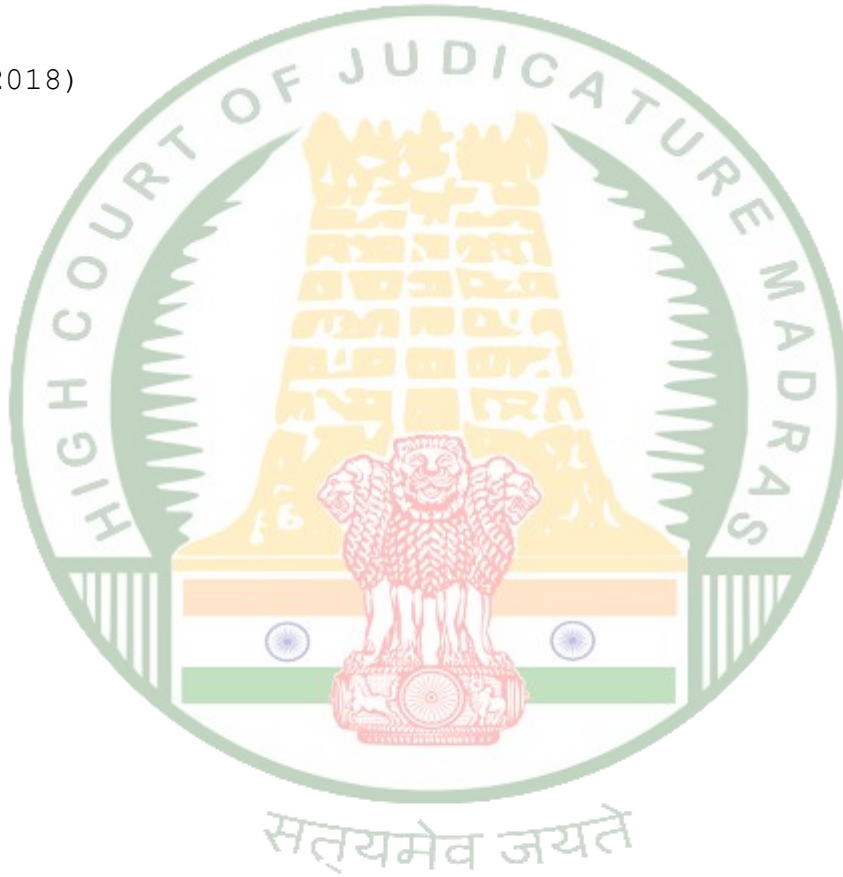
(Noon Meal Section), Tirupur, Tirupur District

2 The Commissioner
Gudimangalam Panchayat Union Gudimangalam
Tirupur District

+1 CC to Mr.Muthumani Doraisami, Advocate sr 80619.
+1 CC to The Govt. Pleader sr 85390

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CP (CO)
SP (26/12/2018)



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