



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) .No.2385 of 2014

Kaluvayee Ammal

... Petitioner

Vs.

1. The District Collector,
Madurai.
2. The Commissioner,
Panchayat Union,
Secretariat, Chennai.
3. The Block Development Officer,
Chellampatti Panchayat Union Office,
Chellampatti, Usilampatti Taluk,
Madurai District.
4. The Treasury Officer,
Madurai District,
Madurai Collectorate Building,
Madurai-625 020.

... Respondents

PRAYER: Writ petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to pay the petitioner's accrued monetary benefits including her salary for the period from 26.11.2004 to 21.11.2011 (during the period of her suspension) within a period as may be fixed by this Court.

For Petitioner : Mr.S.Ramesh
For Mr.V.Raghavachari
For Respondents : Mrs.S.Srimathy for R1 & R2
Special Government Pleader
: Mr.T.S.Mohamad Mohideen for R3

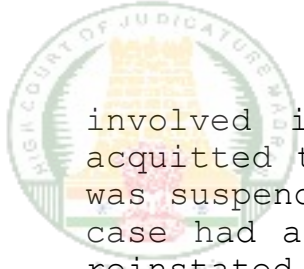
ORDER

Heard the learned counsel on either side.

2.By consent of both the parties, the main Writ Petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioner was working as Noon Meal Organiser. She got



involved in a criminal case. But the competent Criminal Court acquitted the petitioner as early as on 26.05.2011. The petitioner was suspended only in view of the criminal case. Since the criminal case had already ended in acquittal, the authorities ought to have reinstated the petitioner into service thereafter. But the authorities did not do so. The petitioner reached the age of superannuation on 21.11.2011 and she was also allowed to retire. But, no disciplinary action was taken against the petitioner. At the same time, the retirement benefits payable to the petitioner were also not disbursed. The Authority ought to have passed appropriate orders with regard to revocation of suspension period also. The petitioner is entitled to get her benefits.

4. Therefore, the first respondent is directed to compute the quantum of benefits payable to the petitioner and disburse the same, within a period of eight weeks from the date of receipt of a copy of this order.

5. The Writ Petition is allowed accordingly. No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector, Madurai.
2. The Commissioner,
Panchayat Union,
Secretariat, Chennai.
3. The Block Development Officer,
Chellampatti Panchayat Union Office,
Chellampatti, Usilampatti Taluk,
Madurai District.
4. The Treasury Officer,
Madurai District,
Madurai Collectorate Building,
Madurai-625 020.

- + 1 CC TO Mr.V.RAGHAVACHARI, ADVOCATE IN SR No. 47160
- + 1 CC TO Mr.T.S.MOHAMED MOHIDEEN, ADVOCATE IN SR No. 46790
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 47433

TSG

TE/JC/SAR-1 : 20/02/2018 : 2P/8C