



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.07.2018
CORAM :
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.15100 of 2018

WEB COPY

R.Rajendran

... Petitioner

Vs.

1.The State of Tamilnadu rep. by its
Inspector General,
Department of Registration,
No.100, Santhome High Road,
Chennai - 28.

2.The secretary,
Department of Registration and
Commercial Tax,
Secretariat, Chennai - 09.

3.The District Registrar (Admin),
Department of Registration,
Tenkasi, Tirunelveli District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to regularize the suspension period of the petitioner i.e. from 31.10.2007 to 14.10.2010 and consequently direct the respondents to include the name of the petitioner for promotion on the respective dates with all consequential benefits by considering his representation of the petitioner dated 30.10.2017 within the time period stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.M.Murugan, G.A.

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to regularize the suspension period of the petitioner i.e. from 31.10.2007 to 14.10.2010 and consequently direct the respondents to include the name of the petitioner for promotion on the respective dates with all consequential benefits by considering his representation of the petitioner dated 30.10.2017 within the time period stipulated by this Court.



2. Heard Mr.T.Thirumurugan, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the respondents.

3. The learned counsel appearing for the petitioner submits that the petitioner was joined as Junior Assistant on 14.09.2001 in the department of Registration at Sivagangai District. Thereafter, he was working at Virudhunagar District. In the year 2007, a Vigilance and Anti Corruption case was registered against the petitioner. In the result, the petitioner was suspended from service from 31.10.2007. Thereafter, the said case was ended in acquittal, as against which, even though appeal was filed and it is pending, in the year 2010, the petitioner's suspension was revoked and he has been reinstated in to service and has been working now. Between the period i.e. 31.10.2007 and 14.10.2010, since the petitioner was under suspension, the said period has to be regularised in view of the acquittal given in respect of the petitioner. In this regard, the petitioner has given a representation on 30.10.2017 and if the said representation is directed to be considered and an order to that effect is directed to be passed, the petitioner would be satisfied.

4. I have heard the learned Government Advocate appearing for the respondents, who would submit that the said request of the the petitioner dated 30.10.2017 with regard to his grievance will be considered on merits and an order to that effect would be passed, within a time frame.

5. Considering the said submissions made by both sides and taking into account the innocuous nature of the issue raised in this writ petition, this Court is inclined to pass the following order:

"The first respondent is directed to consider the representation of the petitioner dated 30.10.2017 with regard to the grievance of regularising the service of the petitioner between 31.10.2007 to 14.10.2010 and pass orders thereon, on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order."

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

Sd/-
Assistant Registrar (Cr1.side)

/True Copy/

Sub Assistant Registrar (CS-I)



To

1.The Inspector General,
State of Tamilnadu
Department of Registration,
No.100, Santhome High Road,
Chennai - 28.

2.The secretary,
Department of Registration and
Commercial Tax,
Secretariat, Chennai - 09.

3.The District Registrar (Admin),
Department of Registration,
Tenkasi, Tirunelveli District.

+1CC to Mr.T.Thirumurugan, Advocate, SR.No.72646

+1CC to the Special Government Pleader SR.No.72796

W.P (MD) No.15100 of 2018
12.07.2018

Arul

ES/SKN/RSK/SAR 1/30.10.2018/3P/6C