



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2018

CORAM:

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.16347 of 2018

WEB COPY

T.Thiruselvan

...Petitioner

Vs.

- 1) The Joint Director of
School Education, (Personnel)
Directorate of School Education,
DPI Complex, College Road,
Chennai-06.
- 2) The Joint Director of School
Education (Higher Secondary)
Directorate of School Education,
DPI Complex,
College Road, Chennai-06.
- 3) The Chief Educational Officer,
Virudhunagar District, Virudhunagar.
- 4) The Chief Educational Officer,
Nagapattinam District, Nagapattinam. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to regularize the service period of the petitioner during his suspension from 20.09.2014 to 30.05.2016 and pay arrears of salary grant annual increment and dearness allowance with arrears and also sanction selection grade to the petitioner in the post of B.T.Assistant with effect from 01.06.2016 with all attendant and consequential monetary and other benefits.

For Petitioner : Mr.N.Dilip Kumar

For Respondents : Mrs.S.Srimathy,
Special Government Pleader.**ORDER**

The prayer sought for in the Writ Petition is for a Writ of Mandamus directing the respondents to regularize the service period of the petitioner during his suspension from 20.09.2014 to 30.05.2016 and pay arrears of salary, annual increment and dearness allowance with arrears and also sanction selection grade to the petitioner in the post of B.T.Assistant with effect from 01.06.2016 with all attendant and consequential monetary and other benefits.



2. Heard Mr.N.Dilip Kumar, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

3. Learned counsel appearing for the petitioner would submit that, the petitioner was appointed as B.T.Assistant and had been working there as such. When that being so, for a family dispute between him and his erstwhile wife, a criminal case was filed and that was settled subsequently and based on which, the petitioner has been suspended on 20.09.2014. Then, the same was revoked on 31.05.2016. However, the said suspension period was not regularised and even though, the petitioner has been given promotion to the post of P.G. Assistant, he had not been given service and monetary benefits, as per the duty rendered. The petitioner, in this regard, gave a representation on 22.06.2018 and the learned counsel appearing for the petitioner would submit that if the said representation of the petitioner is directed to be considered on merits and an order to that effect is passed within a time frame, the petitioner would be satisfied.

4. I have heard Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents, who would submit that, the said representation of the petitioner dated 22.06.2018 would be considered on merits and in accordance with law and an order would be passed, within a time frame, that may be fixed by this Court.

5. Considering the limited scope of the Writ Petition, this Court is inclined to pass the following order:-

"that, the first respondent is directed to consider the representation of the petitioner dated 22.06.2018 and pass orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

6. With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(Cr1.side)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1) The Joint Director of
School Education, (Personnel)
Directorate of School Education,
DRI Complex, College Road,
Chennai-06.



- 2) The Joint Director of School Education (Higher Secondary)
Directorate of School Education,
DPI Complex,
College Road, Chennai-06.
- 3) The Chief Educational Officer,
Virudhunagar District, Virudhunagar.
- 4) The Chief Educational Officer,
Nagapattinam District, Nagapattinam.

+1CC to Mr.N.Dilip Kumar, Advocate, SR.No.75485
+1CC to the Special Government Pleader SR.No.75388

Order made in
W.P. (MD) No.16347 of 2018
26.07.2018

STS
ES/SV/SAR 2/03.10.2018/3P/7C