

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2019

CORAM

THE HON'BLE Mr. JUSTICE V.PARTHIBAN

W.P.No.11037 of 2011

K.Angammal

... Petitioner

Vs.

1.The Director of Adi Dravidar and
Tribal Welfare,
Chennai - 600 005.

2.The District Adi Dravidar and
Tribal Welfare Officer,
Salem.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 2nd respondent to consider and dispose of my representation dated 08.09.2009 regarding regularize the period of my suspension from 03.04.1991 to 18.02.1993 as 'duty' and disburse the consequential monetary benefits and also to revise my pensionary benefits.

For Petitioner : Mr.J.Muthukumaran

For Respondents: Mr.J.Ramesh,
Additional Government Pleader

सत्यमेव जयते
O R D E R

The petitioner has filed the present writ petition to direct the second respondent to consider and dispose of the petitioner's representation dated 08.09.2009, to regularize the period of her suspension from 03.04.1991 to 18.02.1993 as 'duty' and disburse the consequential monetary benefits and also to revise the petitioner's pensionary benefits.

2. The petitioner, while working as Headmistress in the Government Tribal Residential Middle School, Konamaduvu, Salem Taluk and District, was placed under suspension from 03.04.1991 to 18.02.1993. On the basis of disciplinary action initiated against her, a punishment was imposed on the petitioner, which

was a subject matter of challenge before the then Tamil Nadu Administrative Tribunal. According to the learned counsel for the petitioner, the learned tribunal has allowed the application and subsequently, the petitioner was also reinstated in service and also retired from service on attaining the age of superannuation on 30.09.2000.

3. The petitioner appears to have sent a representation on 08.09.2009 to the second respondent to regularize the suspension period. According to the learned counsel for the petitioner till date no order has been passed on the representation and the suspension period has also not been regularized. In view of the same, the retirement and pensionary benefits have been affected. Therefore, he seeks this court's intervention in directing the second respondent to dispose of the representation in regard to the regularization of suspension period from 03.04.1991 to 18.02.1993.

4. Since the prayer in the writ petition is only to direct the second respondent to dispose of the representation, without going into the merits of the claim, the second respondent is directed to dispose of the representation said to have been submitted by the petitioner on 08.09.2009, in regard to the regularization of the period of suspension of the petitioner from 03.04.1991 to 18.02.1993, within a period of four weeks from the date of receipt of a copy of this order. The second respondent is directed to dispose of the representation by passing a speaking order within the time stipulated, in view of the fact that the petitioner had retired long ago.

5. With the above direction, the writ petition stands disposed of.

Sd/-

Assistant Registrar(CS VI)

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Sub Assistant Registrar

gsk

To

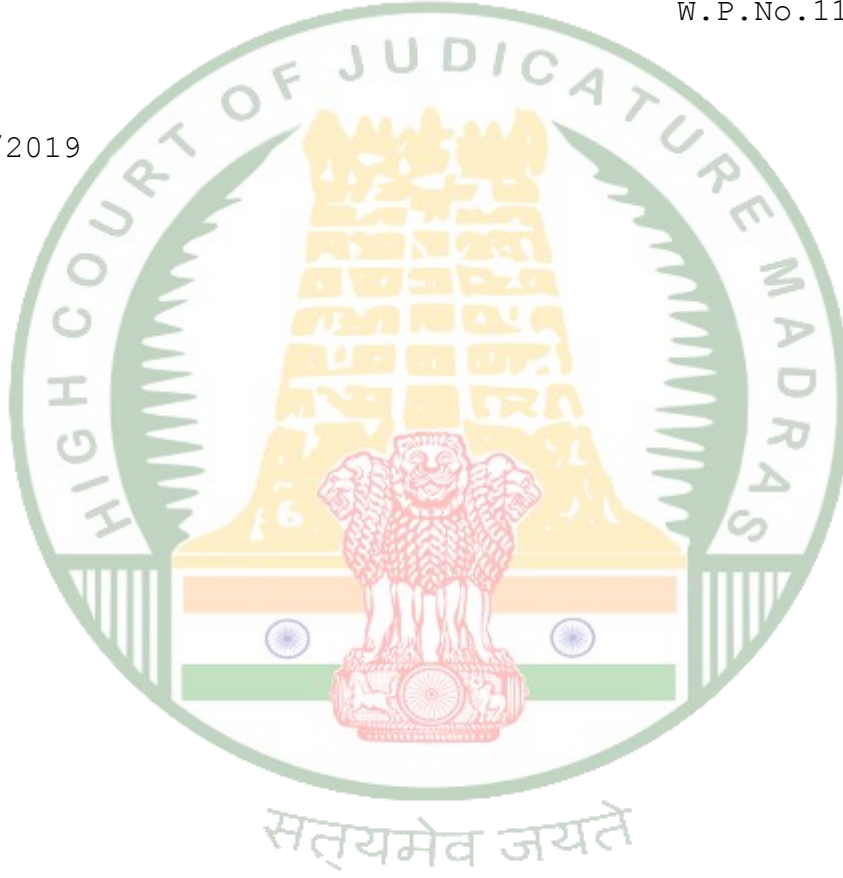
1.The Director of Adi Dravidar and
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2.The District Adi Dravidar and
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+1cc to the Government Pleader Sr.14154

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