

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.9988 of 2008
and M.P.Nos.1 and 2 of 2008

C.P.Rajendran

.. Petitioner

Vs.

1.The State of TamilNadu,
Represented by Secretary,
Home Department, (Prison-II),
Fort.St.George, Chennai - 600 009.

2.The Additional Director General of Prison's,
Prison Department,
No.1, Gandhi Irwin Salai,
Egmore, Chennai - 600 008.

3.DIG of Prison's,
Chennai Range DIG of Prison,
Prison Department,
No.1, Gandhi Irwin Salai,
Egmore, Chennai - 600 008.

4.The Superintendent,
Central Prison-I (One),
Puzhal, Chennai - 600 066.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of writ of Certiorarified Mandamus to call for the records relating to the impugned order in reference No.4743/MU/2007 dated 12.02.2008 on the file of the third respondent and to quash the same and to direct the fourth respondent to regularize the service of the petitioner during period of suspension from 07.04.1992 to 04.04.1996 and pay increment in salary of Rs.1,900/- P.M. from 18.11.2005 up to the date of payment and to pay the periodical increment by virtue of stoppage of increment for one year with cumulative effect from fourth respondent to permit the petitioner to sign the S.R.Book.

For Petitioner : Mr.P.Manoj Kumar for
Mr.P.Rajendran

For Respondents : Ms.R.Janaki
(Additional Government Pleader)

O R D E R

The present Writ Petition is filed for issuance of writ of Certiorarified Mandamus, calling for the records relating to the impugned order in reference No.4743/MU/2007 dated 12.02.2008, on the file of the third respondent and to quash the same and to direct the fourth respondent to regularize the service of the petitioner during period of suspension from 07.04.1992 to 04.04.1996 and pay increment in salary of Rs.1,900/- P.M. from 18.11.2005 up to the date of payment and to pay the periodical increment by virtue of stoppage of increment for one year with cumulative effect from fourth respondent to permit the petitioner to sign the S.R.Book.

2.Though the petitioner sought for various relief in the present Writ Petition, when the matter is taken up for hearing, the learned counsel appearing for the petitioner contended that a direction may be issued to the respondents to regularize the service of the petitioner during period of suspension from 07.04.1992 to 04.04.1996 and also made an endorsement to that effect.

3.Ms.R.Janaki, learned Additional Government Pleader appearing for the respondents filed counter affidavit and submitted that regularization of the suspension period of the petitioner is under consideration.

4.Both the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents submitted that subsequently the proposal for regularizing the period of suspension was sent to the second respondent on 11.07.2019.

5.Recording the endorsement made by the learned counsel appearing for the petitioner and the submissions made by both the learned counsel appearing for the petitioner as well as learned Additional Government Pleader appearing for the respondents, this Writ Petition is disposed of, directing the respondents 1 and 2 to consider the proposal sent by the fourth respondent and pass orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
State of TamilNadu,
Home Department, (Prison-II),
Fort.St.George, Chennai - 600 009.
- 2.The Additional Director General of Prison's,
Prison Department,
No.1, Gandhi Irwin Salai,
Egmore, Chennai - 600 008.
- 3.DIG of Prison's,
Chennai Range DIG of Prison,
Prison Department,
No.1, Gandhi Irwin Salai,
Egmore, Chennai - 600 008.
- 4.The Superintendent,
Central Prison-I (One),
Puzhal, Chennai - 600 066.

+1 cc to M/s.P.Rajendran, Advocate Sr.No. 64557
+1 cc to The Government Pleader Sr.No.64245

AKM/26.09.19/3P-7 C /

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सत्यमेव जयते

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