

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.20562 of 2019

S.Jayaraman

... Petitioner

Vs.

1.The Secretary,
Tamil Nadu Government Housing
and Urban Development Department,
Fort St.George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Housing Board,
Annasalai, Nandanam,
Chennai - 600 035.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 08.02.2018, within the time stipulated by this Hon'ble Court on merits and as per law.

For Petitioner : Mr.K.V.Sridharaan

For Respondents : Mr.R.Bharathkumar
Standing Counsel for TNHB

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 08.02.2018, within the time stipulated by this Court on merits and as per law.

2.Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the Tamil Nadu Housing Board.

3.The case of the petitioner is that he was convicted and

sentenced by the learned Special Judge/ Chief Judicial Magistrate, Salem in Special Calendar Case No.29 of 1997, against which, he preferred appeal in C.A.No.375 of 2013 and the State filed appeal in C.A.No.535 of 2014 before this Court. The appeal filed by the petitioner was allowed and he was acquitted by this Court and the appeal filed by the State was dismissed by this Court. Thereafter, the petitioner sent representation on 08.02.2018 to the second respondent seeking reinstatement in service by revoking the suspension and dismissal orders.

4.Since there was no action, the petitioner requested through his counsel at Trichy for information as to the stage of his representation on 17.09.2018 to the second respondent. The Official concerned in the Public Information Office by reply dated 31.10.2018 sent a copy of the information submitted by the second respondent dated 25.10.2018 informing that the petitioner's representation is being considered and since it contained 55 paragraphs, parawise remarks would be sent to the Government after searching the relevant documents. However, till date the petitioner's representation was not considered. Hence, this writ petition.

5.The learned counsel appearing for the petitioner would submit that it would suffice, if this Court issues direction to the second respondent to consider the petitioner's representation and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

6.The learned Standing Counsel appearing for the Tamil Nadu Housing Board also concede the request made by the learned counsel appearing for the petitioner.

7.Considering the facts and circumstances of the case, I am inclined to issue direction to the second respondent to consider the petitioner's representation dated 08.02.2018, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

8.The writ petition is accordingly disposed of. No costs.

sd/-

Assistant Registrar(J)

//True copy//

Sub Assistant Registrar

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To

1.The Secretary,
Tamil Nadu Government Housing
and Urban Development Department,
Fort St.George,
Chennai - 600 009.

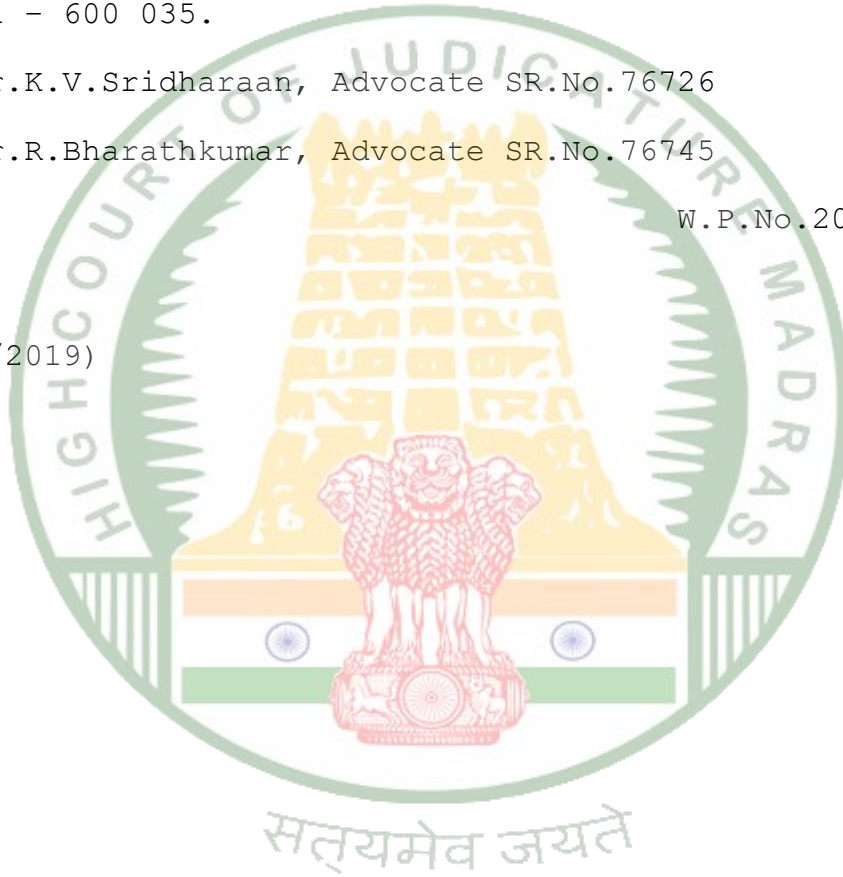
2.The Managing Director,
Tamil Nadu Housing Board,
Annasalai, Nandanam,
Chennai - 600 035.

+1cc to Mr.K.V.Sridharaan, Advocate SR.No.76726

+1cc to Mr.R.Bharathkumar, Advocate SR.No.76745

W.P.No.20562 of 2019

GMV (24/09/2019)



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