

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29051 of 2019

Mohamadabee

... Petitioner

Vs.

1.The State rep by,
The Secretary,
Social Welfare and Nutritions Meals
Programme (SW-I) Department,
Government of Tamil Nadu,
Chennai - 600 009

2.The Commissioner,
Child Development Project Department,
Tharamani,
Chennai-600 113

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to permit the petitioner to retire from service and to settle terminal & consequential service benefits pursuant to the petitioner's representation dated 05.09.2018.

For Petitioner : Mr.V.Krishnamoorthy

For Respondents : Mrs.R.Janaki,
Additional Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that while she was in service as Child Development Project Officer she was implicated in a criminal case and due to the pendency of the above said case, she was not allowed to retire from service on the date of superannuation i.e. 30.11.2006. Thereafter the criminal case ended in acquittal in CrI.A.No.190 of 2012 on 12.06.2018.

Immediately thereafter the petitioner made representation requesting to permit her to retire from service from the date of superannuation. But till date the same has not been considered. Hence, the petitioner has filed the present petition.

3. Heard both sides.

4. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the first respondent to consider the representation of the petitioner dated 05.09.2018 and pass orders, within a stipulated time fixed by this Court.

5. Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 05.09.2018 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

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

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Social Welfare and Nutritions Meals
Programme (SW-I) Department,
Government of Tamil Nadu,
Chennai - 600 009.

2. The Commissioner,
Child Development Project Department,
Tharamani,
Chennai-600 113.

+1cc to Mr.V.Krishnamoorthy, Advocate Sr.85669

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srg 04/11/2019