



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.11000 of 2019

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M.Servaran

... Petitioner

Vs.

1.The District Welfare Officer,
Adi Dravidar and Tribal Welfare Office,
Thirunelveli District,
Thirunelveli.

2.The Special Thasildar,
Adi Dravidar and Tribal Welfare,
Seranmadevi Division,
Thirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 07.03.2019 and to pay the petitioner, the back wages and all other monetary and attendant benefits during his suspension period from 08.07.2013 to 07.11.2014.

For Petitioner : Mr. J. William Christopher

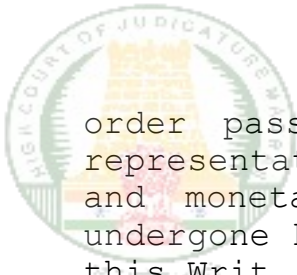
For Respondents : Mrs. J. Padmavathy Devi
Special Government Pleader

ORDER

This writ petition is filed seeking to direct the respondents to consider the representation of the petitioner, dated 07.03.2019 and to pay his back wages and all other monetary and attendant benefits during his suspension period i.e., from 08.07.2013 to 07.11.2014.

2. Mrs.J. Padmavathy Devi, learned Special Government Pleader takes notice for the respondents. By consent, the writ petition itself is taken up for disposal at the admission stage itself.

3. The learned counsel appearing for the petitioner submitted that due to matrimonial proceedings initiated against the petitioner, he was suspended from duty with effect from 08.07.2013. However, his suspension order was revoked, pursuant to the acquittal



order passed by the trial Court. Hence, the petitioner made a representation dated 07.03.2019 to the respondents seeking backwages and monetary and attendant benefits for the suspension period undergone by him and the same is pending without any action. Hence, this Writ Petition.

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4. The learned Special Government Pleader taking notice for the respondents fairly submitted that the respondents would consider the representation of the petitioner and pass orders, on merits.

5. Having regard to the limited scope of the prayer made herein and considering the submissions made by respective counsel, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the representation of the petitioner, dated 07.03.2019, on merits and in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner. While doing so, the respondents shall take in-to consideration the acquittal order passed by the trial Court in the matrimonial proceedings.

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

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Welfare Officer,
Adi Dravidar and Tribal Welfare Office,
Thirunelveli District,
Thirunelveli.

2.The Special Thasildar,
Adi Dravidar and Tribal Welfare,
Seranmadevi Division,
Thirunelveli District.

+1 CC to Mr.J.WILLIAM CHRISTOPHER, Advocate SR-64479.

+1 CC to SPL GP SR-65117.

W.P (MD) No.11000 of 2019
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CS: (12/06/2019) 2P 5C