



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.06.2019

CORAM:

THE HONOURABLE Mr. JUSTICE D. KRISHNAKUMAR

WEB COPY

W.P. (MD) No. 13225 of 2019
and W.M.P. (MD) No. 9857 of 2019

J. Panchavarnam

.. Petitioner

Vs.

1. The District Collector,
O/o District Collector,
Madurai District.

2. The Commissioner,
Chellampatti Panchayat Union,
Madurai District.

.. Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the respondent No.1 to cancel the suspension order, dated 23.07.2012 and reinstate the petitioner in the post of Noon-Meal Organizer by considering the petitioner's representation, dated 24.07.2018 within the time period stipulated by this Court.

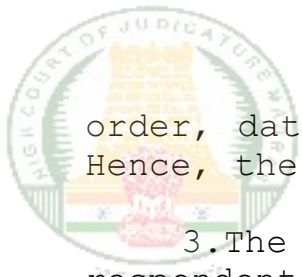
For Petitioner : Mr. T. Thirumurugan

For Respondents : Mr. M. Pandiarajan, Government Advocate

ORDER

This writ petition has been filed for issuance of writ of Mandamus, to direct the first respondent, to cancel the suspension order, dated 23.07.2012, and to reinstate the petitioner in the post of Noon-Meal Organizer, by considering the petitioner's representation, dated 24.07.2018, within the time stipulated by this Court.

2. According to the petitioner, since she was convicted by the learned V Additional District and Sessions Judge, Madurai, by judgment, dated 19.07.2012, made in S.C.No.287 of 2010, for the offences punishable under Sections 147, 148, 302, 323, 324, 326 r/w 149 IPC, she was suspended from service with effect from 19.07.2012 by the first respondent by his order, dated 23.07.2012. Challenging the conviction and sentence imposed by the trial Court, the petitioner filed a Criminal Appeal in CrI.A.(MD).No.159 of 2012 before this Court. The above criminal appeal was allowed and the conviction and sentence imposed by the trial Court is set aside and the petitioner was acquitted from the above criminal case. Therefore, the petitioner has made a representation, dated 24.07.2018, to the first respondent, to revoke the suspension



order, dated 23.07.2012. But no order has been passed till date. Hence, the petitioner has come forward with this writ petition.

3.The learned Government Advocate appearing for the respondents would submit that the representation made by the petitioner is pending on the file of the first respondent and the same will be considered on merits and in accordance with law within the time stipulated by this Court.

4.Considering the facts and circumstances of the case, without expressing any opinion on merits, the first respondent is directed to consider the petitioner's representation, dated 24.07.2018 on merits and in accordance with law, if there is no other legal impediment, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

TM

To

1. The District Collector,
O/o District Collector,
Madurai District.
2. The Commissioner,
Chellampatti Panchayat Union,
Madurai District.

- + 1 CC to Mr.T.Thirumurugan, Advocate in SR.No.68465
- + 1 CC to Special Government Pleader in SR.No.68464

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