



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P (MD) No.15819 of 2019

S.Arumugam

... Petitioner

Vs.

1.The Director of Adi Dravidar Welfare
O/o. the Director of Adi Dravidar Welfare,
Chepauk, Chennai -5.

2.The District Adi Dravidar and Tribal Welfare Officer,
Thanjavur, Thanjavur District. .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent No.1, to regularize the suspension period of the petitioner from 29.12.2017 to 19.04.2018 as duty period and to provide all consequential benefits to the petitioner in the light of the Judgment of this Court in WP(MD).No.6836 of 2007, dated 03.12.2014 within the time period stipulated by this Court.

For Petitioner : Mr. T. Lajapathi Roy

For Respondent : Mr. M. Pandiarajan
Additional Government Pleader

ORDER

This writ petition has been filed for issuing a direction to the respondent No.1, to regularize the suspension period of the petitioner from 29.12.2017 to 19.04.2018 as duty period and to provide all consequential benefits to him in the light of the Judgment of this Court made in WP(MD).No.6836 of 2007, dated 03.12.2014, within the time frame to be fixed by this Court.

2. Mr.M. Pandiarajan, learned Additional Government Pleader takes notice for the respondents. By the consent, the writ petition is taken up for final disposal at the admission



3. According to the petitioner, while he was working as a Secondary Grade Warden at Adi Dravidar Welfare Department Boys Hostel, Vallam, Thanjavur District, departmental proceeding has been initiated against him under Rule 17(a) of the Tamil Nadu Civil Services Discipline and Appeal Rules and subsequently, the same has been ended in punishment of stoppage of increment for a period of six months without cumulative effect. Now, the petitioner has made the representations, dated 29.12.2017 and 19.04.2018 seeking to regularize his suspension period from 29.12.2017 to 19.04.2018 as duty period. But, so far, no order has been passed in the said representations. In such circumstances, the petitioner has come forward with the present Writ Petition before this Court.

4. Though this petition has been filed to give a positive direction to the respondents, the learned counsel appearing for the petitioner submits that the petitioner will be satisfied, if a direction is issued to the first respondent, to consider the representation of the petitioner, dated 19.04.2018.

5. The learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner will be considered on merits within a specified time that may be fixed by this Court.

6. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the petitioner's case, directs the 1st respondent to consider the representation of the petitioner, dated 19.04.2018, and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AE)

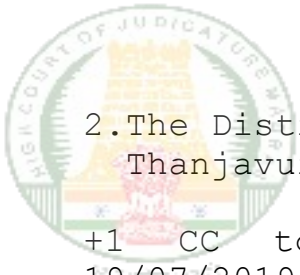
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Sub Assistant Registrar (CS)

To

1. The Director of Adi Dravidar Welfare

<https://hcservicescourts.gov.in/Hcservices>
@/o the Director of Adi Dravidar Welfare,
Chepauk, Chennai -5.



2.The District Adi Dravidar and Tribal Welfare Officer,
Thanjavur, Thanjavur District.

+1 CC to Special Government Pleader (SR-76404[F] dated
19/07/2019)

WEB COPY

+1 CC to Mr.T.LAJAPATHI ROY, Advocate (SR-75907[F] dated
18/07/2019)

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17.07.2019

trp

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