



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.17578 of 2019

P.Irulappan

... Petitioner

Vs.

The District Educational Officer,
O/o. the District Educational Officer,
Sankarankovil Educational District,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to revoke the suspension order in R.C.No.2066/A4/2019 dated 06.05.2019 with effect from 25.4.2019 on the file of the respondent in and reinstate the petitioner in the post of Record Clerk with Government High School, Sevalkulam, Sakarankovil Educational District, Tirunelveli District with all consequential benefits, within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondent : Mrs.S.Srimathy
Special Government Pleader

ORDER

This Writ Petition has been filed to direct the respondents to revoke the suspension order dated 06.05.2019, passed in R.C.No.2066/A4/2019 by the respondent.

2.Mrs.S.Srimathy, learned Special Government Pleader takes notice for the respondent. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, he was working as Record Clerk in the Government High School, Sevalkulam, Sakarankovil Educational District, Tirunelveli District. Based on the complaint given by one Sakthivel, a case in Cr.No.155 of 2019 for the offences punishable under Sections 294(b), 342, 324 and 506(ii) IPC, has been registered against him. Pursuant to the said criminal case, by order dated 06.05.2019, the petitioner was placed under suspension by the respondent. Thereafter, on 29.07.2019, the petitioner sent a representation to the respondent for revocation of suspension. So far, no action has been taken by the respondent. Hence, the



petitioner is before this Court for the relief stated supra.

4.The learned counsel for the petitioner would submit that the said criminal case is a false one and the dispute between the petitioner and the complainant is purely a private dispute and there is no connection with the said criminal complaint for discharging the duties of the respondent.

5.The learned Special Government Pleader appearing for the respondent would submit that the petitioner's representation dated 29.07.2019, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6.Considering the facts and circumstances of the case and in view of the submission made by the learned counsel on either side, this Court is inclined to pass the following order:

The respondent is directed to consider the petitioner's representation dated 29.07.2019, and pass appropriate orders on merits and in accordance with law, within a period of eight 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 (CS III)

// True Copy //

Sub Assistant Registrar(CS)

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To

The District Educational Officer,
O/o. the District Educational Officer,
Sankarankovil Educational District,
Tirunelveli District.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-80880[F] dated 09/08/2019)

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