



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.19662 of 2019

S.Balusamy

... Petitioner

-Vs-

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Kadaladi Taluk,
Kadaladi, Ramanathapuram District.

3.The Revenue Divisional Officer,
Ramanathapuram District,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the District Collector, Ramanathapuram to pass appropriate orders on the petitioner's representation dated 11.10.2017 based on the orders of acquittal dated 31.08.2017 in the criminal court in S.C.No.03/2011 of the Additional District Magistrate (Fast Track) Court, Paramakudi and disposal of the departmental disciplinary action with a censure, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

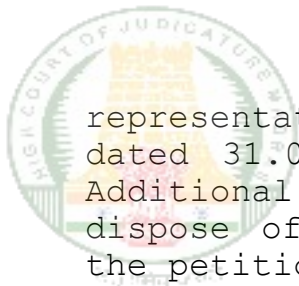
For Respondents : Mr.V.R.Shanmuganathan,
Special Government Pleader.

ORDER

Heard Mr.S.Visvalingam, learned counsel appearing on behalf of the petitioner and Mr.V.R.Shanmuganathan, learned Special Government Pleader, who takes notice on behalf of the respondents.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.This Writ Petition is filed for a direction to direct the respondents to pass appropriate orders on the petitioner's representation.



representation, dated 11.10.2017, based on the order of acquittal, dated 31.08.2017, made in S.C.No.03 of 2011 on the file of the Additional District Magistrate (Fast Track) Court, Paramakudi and dispose of the departmental disciplinary action initiated against the petitioner.

WEB COPY

4. According to the learned counsel appearing on behalf of the petitioner, the petitioner was suspended from service for certain misconduct. The departmental disciplinary proceedings were initiated against the petitioner and punishment of censure was imposed. The petitioner was attained the age of superannuation on 31.01.2017. However, the petitioner was not permitted to retire from service, in view of the pendency of the criminal proceedings. Now, the petitioner was acquitted from the criminal proceedings, by the judgment dated 31.08.2017, made in S.C.No.3 of 2011 on the file of the Additional District Magistrate (Fast Track) Court, Paramakudi. Therefore, the petitioner has given a representation on 11.10.2017 to the respondents. But, so far, no order is passed on the representation. Hence, the petitioner has come out with the present Writ Petition.

5. Considering the limited prayer sought for by the petitioner, this Court is inclined to direct the respondents to consider the representation, dated 11.10.2017 submitted by the petitioner, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

Myr

To

1. The District Collector,
Ramanathapuram,
Ramanathapuram District.

2. The Tahsildar,
Kadaladi Taluk,
Kadaladi, Ramanathapuram District.



3.The Revenue Divisional Officer,
Ramanathapuram District,
Ramanathapuram.

+1 CC to M/s.SPL GP (SR-86918[F] dated 16/09/2019)

+1 CC to M/s.S.VISVALINGAM, Advocate (SR-86467[F] dated
13/09/2019)

W.P. (MD) No.19662 of 2019
13.09.2019

JMN(30.09.2019) 3P : 6C