



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2019

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.14068 of 2014

WEB COPY

R.Perumal

... Petitioner

Vs.

1.The District Educational Officer,
Musiri, Trichy District.

2.The Headmistress,
Government High School,
Alagapuram Post,
Thottiyam Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order for the first respondent in Na.Ka.No.2786/A1/2004 dated 30.08.2013 and quash the same and consequently direct the first respondent disburse the retirement benefits including the arrears within time fixed by this Court.

For Petitioner : Mr.H.Arumugam
For Respondents : Mrs.S.Srimathy,
Special Government Pleader

ORDER

The order dated 30.08.2013 which is impugned in the present writ petition states that the writ petitioner was placed under suspension and he attained the age of superannuation on 31.08.2013 and he was not relieved on account of the fact that the criminal case was pending against the writ petitioner during the relevant point of time.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that the criminal case ended in favour of the writ petitioner in CrI.R.C.(MD).No.286 of 2008, dated 31.07.2017 and no further departmental disciplinary proceedings are also pending against the writ petitioner. The dispute was between the writ petitioner and his wife and therefore, the respondents are bound to pass suitable orders considering the judgment passed by this Court in CrI.R.C. (M) DnO.286 of 2008.



3. Under these circumstances, the respondents are directed to consider all the facts and circumstances as well as the materials available on record and to take a decision and pass orders as expeditiously as possible, preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition stands disposed of. No costs. The writ petitioner is at liberty to submit a fresh representation setting out all the facts and circumstances and documents along with the orders passed in this writ petition.

Sd/-

Assistant Registrar (Ad-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Educational Officer,
Musiri, Trichy District.

2. The Headmistress,
Government High School,
Alagapuram Post,
Thottiyam Taluk,
Trichy District.

+1 CC to Mr.H.ARUMUGAM, Advocate SR-81319.
+1 CC to SPL GP SR-81338.

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