



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.1366 of 2020

T.Madaiyan

... Petitioner

Vs.

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Block Development Officer,
Block Development Office,
Pennagaram Union,
Pennagaram Taluk,
Dharmapuri District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the respondents to consider petitioner's representation dated 04.09.2019 to pay the petitioner pending salary of 43 months from 21.12.2011 to 07.07.2015, Dearness Allowance, provision grand a sum of Rs.49,000/- and 8 years bonus.

For Petitioner : Mr. V.R. Annagandhi

For Respondents: Mr. P.S. Sivashanmuga Sundaram, for R1
Special Government Pleader
Mr. B. Kannan, for R2
Government Advocate

O R D E R

This writ petition has been filed for the issuance of writ of mandamus directing the respondents to pay the petitioner pending salary for the period from 21.12.2011 to 07.07.2015 along with other allowances.

2. The case of the petitioner is that he was working as a Noon Meal Organizer in the Panchayat Primary School. The petitioner was placed under suspension by an order dated 20.09.2011. The petitioner filed W.P.No.27168 of 2011 before this Court, challenging the order of suspension.

3. According to the petitioner, an interim order was passed by this Court. Inspite of the same, the petitioner was



not permitted to join service. As a result of the same, petitioner was not engaged for a period of 43 months from 21.12.2011 to 07.07.2015. Ultimately, the suspension order was revoked by the proceedings of the District Collector dated 07.07.2015 and the petitioner was reinstated. The petitioner made a representation dated 04.09.2019 seeking payment of 43 months pending salary during which the petitioner was not engaged in service along with all the other allowances. Since his representation was not considered, the present writ petition has been filed before this Court.

4. Heard, Mr. V.R. Annagandhi, learned counsel for the petitioner, Mr. P.S. Sivashanmuga Sundaram, learned Special Government Pleader for R1 and Mr. B. Kannan, learned Government Advocate, for R2.

5. Taking into consideration of the facts and circumstances of the case and limited relief that has been sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 04.09.2019 and pass appropriate orders on its own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make fresh representation to the second respondent along with a copy of the representation dated 04.09.2019 and a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

AT

To

- 1.The District Collector,
Dharmapuri District, Dharmapuri.
- 2.The Block Development Officer,
Block Development Office,
Pennagaram Union,
Pennagaram Taluk,
Dharmapuri District.

+1cc to Mr.V.R. Annagandhi, Advocate SR.No.4617
+1cc to Government Pleader SR.No.5734

W.P.No.1366 of 2020

PP (CO)
GM (28/02/2020)