

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.1181 of 2020

K.Saravanan

... Petitioner

Vs.

1.The Director of School Education,
Government of Tamilnadu,
College Road, Nungambakkam,
Chennai - 6.

2.The Chief Educational Officer,
Vellore District,
Vellore.

3.The District Educational Officer,
Educational Office,
Vaniyambadi Taluk,
Vellore District.

4.The Block Educational Officer,
Pernambut,
Vellore 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 regularize the petitioner's service for the suspension period from 18.11.2014 upto 31.01.2019 will all back wages, attendant benefits to consider the petitioner's representation dated 00.02.2019.

For Petitioner : Mr. Jagadeesan

For Respondents: Mrs.V.Annalakshmi,
Government Advocate

O R D E R

This writ petition has been filed for the issuance of writ of mandamus directing the respondents to regularize the service of the petitioner for the suspension period between 18.11.2014 and 31.01.2019, with all attendant benefits.

2. The case of the petitioner is that he was working as a secondary grade Head Master in a Panchayat Union Elementary School. Based on the complaint given by a Village Administrative Officer, FIR came to be registered in Crime No.429 of 2015 and the petitioner was also made as an accused based on the confession. The petitioner was arrested and remanded to judicial custody. The petitioner was suspended from service by the proceedings dated 10.12.2014.

3. The petitioner faced trial in the criminal case before the III Additional District and Sessions Judge in S.C.No.97 of 2017. The trial Court on considering the facts and circumstances of the case and the evidence, was pleased to acquit the petitioner from all charges.

4. The petitioner thereafter made a representation to the Block Development Officer to revoke the suspension based on the judgment of the criminal Court. The petitioner's suspension was revoked and the petitioner was reinstated and posted at Panchayat Union Elementary School by proceedings dated 31.01.2019.

5. The grievance of the petitioner is that his suspension period from 18.11.2014 to 31.01.2019 was not regularised and therefore, the petitioner made a representation to the respondents on 01.02.2019 seeking for regularisation of the suspension period.

6. Taking into consideration of the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to consider the representation made by the petitioner on 01.02.2019 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make fresh representation to the third respondent along with a copy of the representation dated 01.02.2019 and a copy of the order of this Court.

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

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

AT

To

1.The Director of School Education,
Government of Tamilnadu,
College Road, Nungambakkam,
Chennai - 6.

2.The Chief Educational Officer,
Vellore District,
Vellore.

3.The District Educational Officer,
Educational Office,
Vaniyambadi Taluk,
Vellore District.

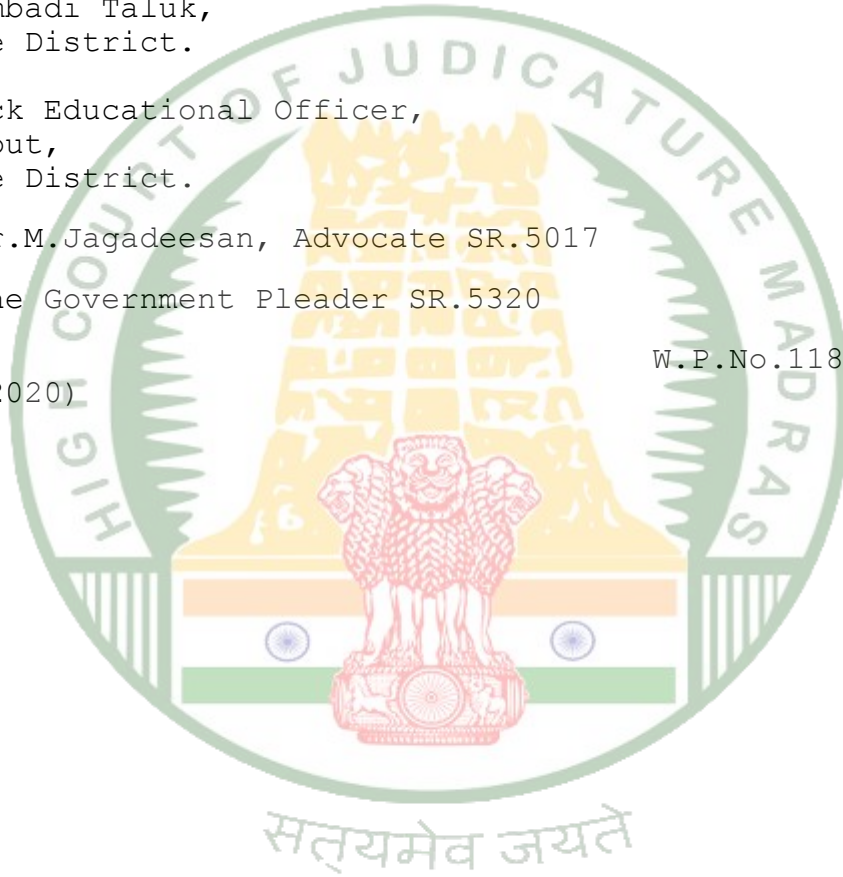
4.The Block Educational Officer,
Pernambut,
Vellore District.

+1cc to Mr.M.Jagadeesan, Advocate SR.5017

+1cc to the Government Pleader SR.5320

W.P.No.1181 of 2020

CB(18/02/2020)



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