

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2020

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.34937 of 2013

P.Suresh Kumar

... Petitioner

Vs.

1.The Director of Elementary Education,
Chennai - 600 006.

2.The District Elementary Education Officer,
Tanjore.

3.The District Elementary Education Officer,
Villupuram.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 29.11.2013 and pass appropriate orders regarding payment of his salary.

For Petitioner : Mr.S.Selvathirumurugan

For Respondents : Mr.S.Suresh Kumar

Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 29.11.2013 and to pass appropriate orders regarding payment of his salary.

2.The case of the petitioner is that the petitioner was appointed as BT Assistant on consolidated pay in the Panchayat Union Middle School, Sollappan Pettai, Bhoodhalur Union, Tanjore District on 01.07.2004. Based on the complaint lodged by one S.Rajalakshmi, a criminal case was registered against the petitioner and he was placed under suspension by order dated 30.05.2006.

3.It is the further case of the petitioner that a charge memo was issued to the petitioner on 09.06.2006 by the second respondent and the petitioner submitted his explanation on 06.07.2006 denying the charges and for revocation of suspension. On 30.11.2006, the petitioner was acquitted from the criminal case by the learned Judicial Magistrate, Tanjore. Thereafter, the petitioner's services were regularised, his suspension was revoked and the charge memo was also dropped vide order dated 21.12.2006.

4.It is the further case of the petitioner that the salary for the period from the date of suspension till reinstatement i.e., 30.05.2006

till 21.12.2006 was not paid to him. Hence, the petitioner made representation dated 29.11.2013 to the first respondent and since no orders were passed, has filed this writ petition.

5.The learned counsel appearing for the petitioner would submit that this Court may issue direction to the respondents to consider the petitioner's representation dated 29.11.2013 and to pass appropriate orders.

6.The learned Government Advocate has no serious objection for this Court issuing such a direction.

7.Considering the limited request made by the learned counsel appearing for the petitioner, this Court directs the respondents to consider the petitioner's representation dated 29.11.2013, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. The petitioner is directed to send a copy of the representation along with a copy of this order to the respondents so as to enable them to pass appropriate orders.

8.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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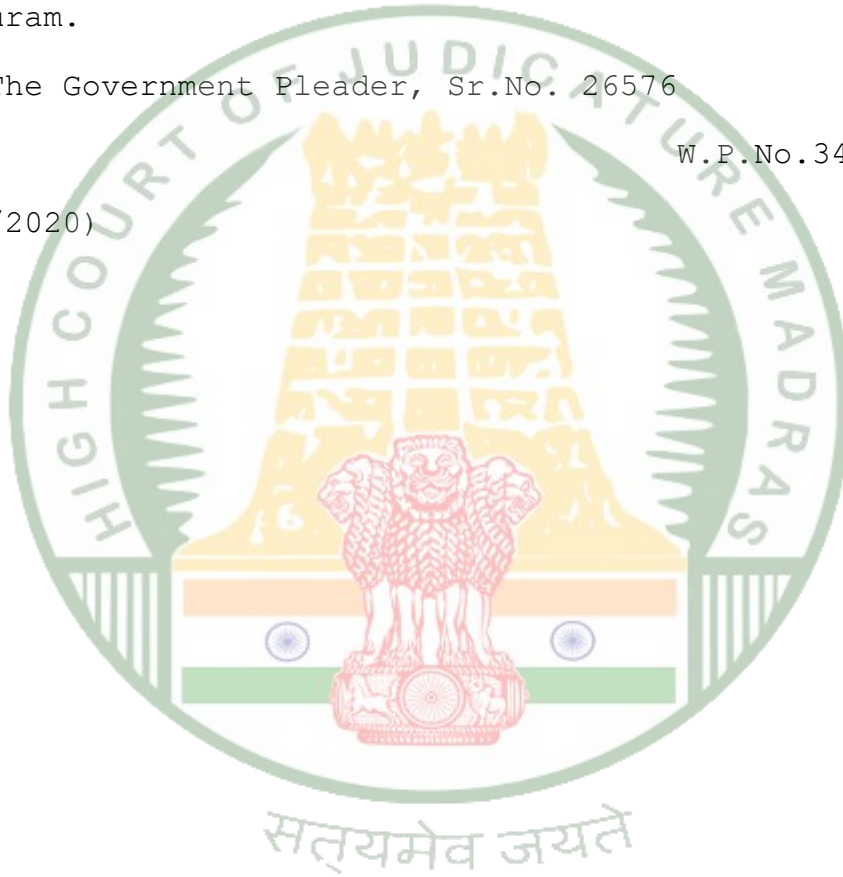
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To

- 1.The Director of Elementary Education,
Chennai - 600 006.
 - 2.The District Elementary Education Officer,
Tanjore.
 - 3.The District Elementary Education Officer,
Villupuram.
- +1 cc to The Government Pleader, Sr.No. 26576

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SSV(CO)
RMP(03/09/2020)



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