



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.02.2020**

CORAM:

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

W.P.(MD)No.2327 of 2020

D.Packiyalakshmi

... Petitioner

/vs./

1.The District Collector,
O/o. the Collectorate,
Virudhunager District.

2.The Revenue Divisional Officer,
O/o the Revenue Divisional Office,
Aruppukottai, Virudhunagar District.

3.The Tahshildar,
O/o.the Taluk Office,
Aruppukottai, Virudhunagar District.

... Respondents

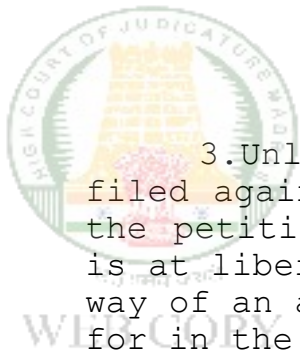
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 13.01.2020 and consequently direct the respondents to treat the suspension period of her husband(i.e., from 06.11.2007 to 18.03.2010) as duty period and provide the monitory benefits, etc., to the petitioner, within time frame as may be fixed by this Court.

For Petitioner	:	Mr.V.Muthuvelan
For Respondents	:	Mr.R.Sethuraman Special Government Pleader.

ORDER

The petitioner sent a representation dated 13.01.2020 seeking for treating her husband's period of temporary suspension from 06.11.2007 to 18.03.2010 as a duty period. Since the representation was not considered in time, the present writ petition seeking for a direction to the respondents to consider the petitioner's representation.

2.Today, when the matter was taken up for admission, the learned Special Government Pleader, on written instructions from the respondents, would submit that on 07.01.2019, the petitioner's husband Duraipandi herein was imposed with the punishment of removal from service, pursuant to his conviction in a criminal case. While that being so, it would not be appropriate to direct the respondents to consider the petitioner's representation which has been sought for treating his period of temporary suspension as a duty period.



3.Unless and until some final orders are passed in an appeal filed against the original punishment imposed, the consideration of the petitioner's request is not feasible. However, the petitioner is at liberty to challenge the punishment of removal from service by way of an appeal in accordance with law. As such the prayer sought for in the present writ petition is not required for consideration.

4.With the above liberty, this Writ Petition stands closed.
No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Cp

To

1.The District Collector,
O/o. the collectorate,
Virudhunager District.

2.The Revenue Divisional Officer,
O/o the Revenue Divisional Office,
Arupukottai, Virudhunagar District.

3.The Tahshildar,
O/o.the Taluk Office,
Aruppukottai, Virudhunagar District.

+1 CC to M/s.V.MUTHUVELAN, Advocate (SR-5060[F] dated 06/02/2020)

+1 CC to M/s.SPL GP (SR-5225[F] dated 07/02/2020)

Order made in
W.P. (MD)No.2327 of 2020
06.02.2020

KK/SAR/19.02.2020/2P-6C/