



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2020

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WEB COPY

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

W.P(MD)No.4702 of 2020

G.Ayyadurai

.. Petitioner

Vs.

The Thasildar (Revenue),
Virudhunagar Taluk,
Virudhunagar District.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to pay salary for the petitioner's suspension period of 14 months i.e., from 01.09.1999 to 28.12.2000, based on his representation dated 23.01.2020 and pass such further or other orders.

For Petitioner : Mr.M.Subash Babu

For Respondent : Mr.A.Thiyagarajan,
Government Advocate.

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondent to pay salary for the petitioner's suspension period of 14 months i.e., from 01.09.1999 to 28.12.2000, based on his representation dated 23.01.2020.

2.Mr.A.Thiyagarajan, learned Government Advocate, takes notice for the respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that he was appointed as a Village Assistant at Kadampankulam Village in the year 1985. Since a false case has been registered against him in Crime No.148 of 1999, he was placed under suspension for a period of 14 months and he challenged the suspension order before the Tamil Nadu Administrative Tribunal in O.A.No.9322/2000 and obtained an order of interim stay, based on which, he was reinstated in service. He faced the trial in the criminal case and the same was ended in



acquittal vide Judgment, dated 25.11.2019, made by the Special Court for PCR Cases, Srivilliputhur. The petitioner is entitled to get full salary for the suspension period, but the respondent has failed to pay the same. Hence, he made a representation, dated 23.01.2020, to the respondent, which evoked no response. Therefore, he has come up with the present writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent and perused the materials available on record.

5. Considering the limited scope of prayer sought for, this Court, without adverting to the merits of the case, directs the respondent to consider the representation of the petitioner, dated 23.01.2020 and pass orders on merits and in accordance with law and also by taking into consideration the order of acquittal passed in S.C.No.39 of 2010 by the Special Court for PCR Cases, Srivilliputhur, within a period of eight (8) weeks from the date of receipt of a copy of this order. While sending the copy of this order, the petitioner shall enclose the copy of the representation, dated 23.01.2020 to the respondent.

6. With the above directions, this Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

The Thasildar (Revenue),
Virudhunagar Taluk,
Virudhunagar District.

+1 CC to M/s.SPL.GP (SR-10334[F] dated 06/03/2020)

+1 CC to M/s.M.SUBASH BABU, Advocate (SR-10512[F] dated 06/03/2020)

**ORDER MADE IN
W.P(MD)No.4702 of 2020**

05.03.2020