

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.6813 of 2015

And

W.M.P.No.24246 of 2019

P.Jayaraman

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Adi Dravidar Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The District Adi Dravidar
and Tribal Welfare Officer,
Chepauk, Chennai - 600 005.

3.The Special Tahsildar (ADW),
Kallakurichi,
Villupuram District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to regularize the period of service of the petitioner in the post of Cook from 24.09.2003 till the date of reinstatement on 21.02.2012 with all consequential and other attendant benefits including payment of arrears of salary with interest by consider the representation submitted by the petitioner dated 21.02.2013, within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.S.Thangavel
Special Government Pleader

O R D E R

According to the petitioner, he was appointed as Cook in the Government Tribal Residential School on 01.07.1989. The petitioner was placed under suspension during the year 2003 and after a prolonged period of suspension, he was reinstated into service during the year 2012. The grievance of the petitioner is

that his services were not regularized and he was not given monetary benefits from the date of suspension on 24.09.2003 till the date of reinstatement on 21.02.2012. In this regard, he made representation dated 21.02.2013 to the respondents and since the same was not considered, he has filed this writ petition, seeking direction to the respondents to consider the said representation and regularize his period of service in the post of Cook from 24.09.2003 till the date of reinstatement on 21.02.2012 with all consequential and other attendant benefits.

2.Today, when the matter was taken up for consideration, the learned counsel appearing for the petitioner submitted that the petitioner is no more and that, the legal heirs of the petitioner has filed petition for substitution. Hence, the learned counsel sought liberty to the legal heirs of the petitioner to approach the respondents for appropriate relief, for which, the learned Special Government Pleader appearing for the respondents has no serious objection.

3.In view of the above, this Court grants liberty to the legal heirs of the petitioner to approach the respondent authorities for appropriate relief, within a period of two weeks from the date of receipt of a copy of this order. On such approach, the respondent authorities shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter.

4.Accordingly, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VII)

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सत्यमेव जयते
Sub Assistant Registrar

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To

1.The Secretary to Government,
Adi Dravidar Welfare Department,
Secretariat,
Fort St.George,
Chennai - 600 009.

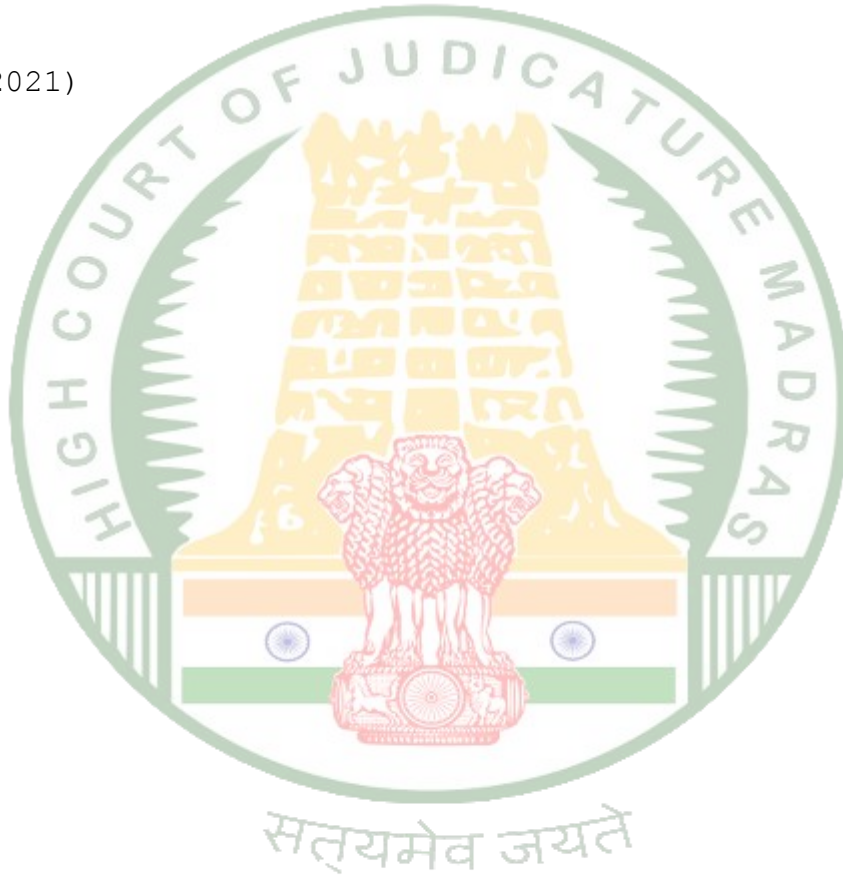
2.The District Adi Dravidar and Tribal Welfare Officer,
Chepauk, Chennai - 600 005.

3.The Special Tahsildar (ADW),
Kallakurichi,
Villupuram District.

+1cc to Mr.G.Sankaran, Advocate, S.R.No. 13452
+1cc to the Government Pleader, S.R.No. 13177

W.P.No.6813 of 2015
And
W.M.P.No.24246 of 2019

RK (CO)
GN(08/07/2021)



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