

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 28.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.39714 of 2016
and
W.M.P.No.33976 of 2016

S.Chitrarasu

...Petitioner

Vs

1.The Joint Director of School Education
(Personnel),
DPI Campus, College Road,
Chennai 600 006.

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

3.Madhappan,
Headmaster,
Government Higher Secondary School,
Pavakkal, Uthankarai Taluk,
Krishnagiri District 635 307.

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to reinstate the petitioner into service based on the proceedings issued by the first respondent in Na.Ka.No.056914/C3/E3/2012 dated 21.11.2013 signed on 25.11.2014 and the subsequent application submitted by the petitioner dated 19.12.2014 with all consequential benefits including payment of subsistence allowance till the date of reinstatement into service.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.K.Thippu Sulthan
Government Counsel

O R D E R

By consent of both the parties, the writ petition is taken up for final disposal.

2. The petitioner herein was placed under suspension through the impugned proceedings of the first respondent dated 21.11.2013, in view of his involvement in a criminal

case registered in FIR.No.150 of 2013 by the Pappireddypatty Police Station for the offences under Sections 294(b), 324 and 506(ii) I.P.C. The petitioner herein has challenged the suspension order by way of this writ petition.

3. Today, when the matter was taken up for hearing, it was brought to the notice of this Court that by order dated 01.12.2014, passed by the third respondent herein, the impugned suspension order has been revoked. As such, the first portion of prayer sought for by the petitioner has become infructuous.

4. Since the impugned suspension order has been revoked and the counter affidavit also states that the petitioner was paid the subsistence allowance till November, 2014, no effective orders can be passed in the present writ petition.

5. At this juncture, the learned counsel for the petitioner would submit that the respondents have not permitted the petitioner to join the services. Countering such a submission, the learned Government Counsel placed reliance on the counter averments and submitted that the petitioner herein was not accessible either through his relatives or friends or mobile phone.

6. I do not intend to go into the disputed facts. However, since the petitioner herein now offers to report before the third respondent, liberty is hereby granted to the petitioner to approach the third respondent seeking for reinstatement into services through a fresh representation and on receipt of the same, the third respondent shall forthwith permit the petitioner to join the services.

7. The writ petition stands ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

hvk

To

1.The Joint Director of School Education
(Personnel),
DPI Campus, College Road,
Chennai 600 006.

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

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Headmaster,
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Krishnagiri District 635 307.

+1cc to Mr.G.Sankaran, Advocate SR.No.29863

+1cc to Government Pleader SR.No.29836

W.P.No.39714 of 2016

PP(CO)
GMY(02/07/2021)



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