

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.01.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.855 of 2014

S.Anbumani

... Petitioner

Vs.

1.Tamil Nadu Public Service Commission
rep. by its Secretary,
Chennai - 600 002.

2.The Inspector of General of Registration
Santhome Road,
Santhome,
Chennai - 600 028.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to reinstate the petitioner in service as Junior Assistant in the light of the representation submitted by the petitioner on 10.12.2013 with all consequential service and monetary benefits within a time limit that may be fixed by this Honourable Court.

For Petitioner : No Appearance

For Respondents: Mr.Bala Murali Krishnan for R1

Mr.T.M.Pappiah for R2

Special Government Pleader

सत्यमेव जयते
O R D E R

This writ petition has been filed seeking direction to the respondents to reinstate the petitioner in service as Junior Assistant with all consequential service and monetary benefits within a time limit.

2.The case of the petitioner is that he was appointed as Junior Assistant in the second respondent. Subsequently, his appointment was canceled on 04.07.1994 and he was removed from service on 12.07.1994. Challenging the same, the petitioner filed O.A.Nos.4841 and 4835 of 1994 before the Tamil Nadu Administrative Tribunal which on abolition of the Tribunal were

transferred to the file of this Court and renumbered as W.P.Nos.25978 and 25979 of 2006 and the same came to be dismissed.

3.It is the further case of the petitioner that the criminal prosecution lodged in C.C.No.2950 of 2001 ended in conviction by judgment dated 20.06.2003 against which Criminal Appeal No.187 of 2003 was filed and the same was allowed by setting aside the conviction and sentence passed by the Trial Court by judgment dated 07.09.2004. Thereafter the petitioner approached the respondents with various representations for reinstatement and the same have not been considered so far. Hence, this writ petition.

4.There is no representation for the petitioner either in person or through the learned counsel.

5.However, the learned counsel appearing for the first respondent submitted that though the petitioner was granted opportunities to produce the original certificates, till date, he did not produce the same and hence, the Department cannot be found fault with.

6.In view of the above submission made by the learned counsel appearing for the first respondent, this Court finds no other alternative except to direct the petitioner to approach the respondents and produce the original certificates for considering his claim in the manner known to law.

7.Accordingly, this writ petition stands disposed of directing the petitioner to produce the original certificates to the respondents within a period of two weeks from the date of receipt of a copy of this order. On such production, the respondents shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1.The Secretary,
Tamil Nadu Public Service Commission,
Chennai - 600 002.
- 2.The Inspector of General of Registration,
Santhome Road,
Santhome,
Chennai - 600 028.

+1 cc to the Government Pleader sr3063

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