



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

W.P. No.23199 of 2021

(Through Video Conferencing)

P.Madanmaran

...Petitioner

Vs

1. The Director of School Education,
College Road, Chennai.

2. The District Educational Officer,
Vellore District, Vellore.

3. The District Elementary Educational Officer,
Vellore District, Vellore.

4. The Block Educational Officer,
Block Education Office, Pernampet,
Vellore.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the representation given by the petitioner on 27.11.2020, 29.12.2020 to revoke the suspension order dated 20.02.2010 and to reinstate the petitioner in service.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.L.S.M.Hasan Fizal
Government Advocate

ORDER

The petitioner was placed under suspension on 20.07.2010. However, no disciplinary proceedings were initiated against the petitioner. It is however admitted that several criminal proceedings numbering in 25 were initiated against the petitioner and in all the 25 cases. The petitioner has been acquitted in all these cases. It is therefore submitted that



the 2nd respondent ought to have been reinstated the petitioner as in all the criminal proceedings, the petitioner has been acquitted.

2.The learned counsel for the petitioner submits that representation dated 27.11.2020 and 29.12.2020 were sent. It is submitted that the Superintendent of Police, Vellore has also informed the Block Educational Officer that in all the criminal proceedings initiated against the petitioner, the petitioner has been acquitted. However, the respondents are not taking any decision as to whether the petitioner has to be reinstated into the service or not.

3.Appearing on behalf of the respondent, the learned Government Advocate for the respondents submits that they do not have any instructions as to whether the petitioner has been indeed acquitted in these criminal proceedings.

4.By way of rejoinder, the learned counsel for the petitioner submits that copies of all the acquittal order in these 25 cases were furnished by the petitioner along with communication/representation dated 27.11.2020. Though copies of these acquittal orders are not available, the representation of the petitioner dated 27.11.2020 and 29.11.2020 deserves attention.

5.The 2nd respondent is therefore directed to consider the representation of the petitioner and dispose the same within a period of three months from the date of receipt of a copy of this order. If all the criminal proceedings against the petitioner have been resulted in acquittal, suitable orders may be passed to reinstate the petitioner into the service within a period of three months from the date of receipt of a copy of this order.

6.This Writ petition stands disposed with the above observations. No costs.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

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To

1. The Director of School Education,
College Road,
Chennai.



2. The District Educational Officer,
Vellore District,
Vellore.

3. The District Elementary Educational Officer,
Vellore District,
Vellore.

4. The Block Educational Officer,
Block Education Office,
Pernampet,
Vellore.

+1cc to Mr.D.Rajagopal, Advocate, S.R.No.56098
+1cc to the Government Pleader, S.R.No.56637

W.P. No.23199 of 2021

CP[CO]
NSK 26/11/2021