



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2021

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.4 of 2014

N.Gomathi

... Petitioner

vs.

The Commissioner,
Hindu Religious and Charitable Endowment
Department (Administration),
Nungambakkam,
Chennai - 600 034.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to pass orders treating the period of suspension and absence from 01.11.1990 to 15.12.1992 as duty period with consequential monetary benefits since the charges against the petitioner's husband have been dropped and the order of transfer has been set aside, within a period of time that may be stipulated by this Court.

For Petitioner : No appearance
For Respondent : Mr.D.Sasi Kumar
Additional Government Pleader

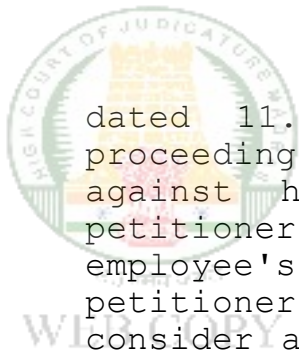
O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, to direct the respondent to pass orders treating the period of suspension and absence from 01.11.1990 to 15.12.1992 as duty period with consequential monetary benefits since the charges against the petitioner's husband have been dropped and the order of transfer has been set aside, within a period of time that may be stipulated by this Court.

2.The petitioner's husband one Late.K.Narayanan was working as Inspector at Pudukottai district. He was issued with a charge memo, dated 20.06.1990, and another charge memo, dated 09.01.1991. He was suspended from service on 01.11.1990. Thereafter, a punishment of stoppage of two increments without cumulative effect was imposed and the period of suspension was treated as eligible leave. The said punishment was set aside by the Appellate Authority, namely Deputy Commissioner, HR & CE, Trichy, by an order, dated 07.04.1992, and the matter was remanded back for a fresh disposal.

3.Thereafter, the petitioner's husband was transferred and then, posted as Superintendent under the respondent, vide order,

<https://hcservices.ecourts.gov.in/hcservices/>



dated 11.12.1992. The petitioner has narrated the further proceedings of the respondent in detail. Finally, the charges against her husband were dropped. In the meanwhile, the petitioner's husband died on 24.02.2007. Therefore, the deceased employee's wife has come up with the present Writ Petition. The petitioner is seeking a Mandamus, directing the respondent to consider and regularize the suspension period of the petitioner's husband, since the charges were dropped.

5.This Court without going into the merits of the case, directs the respondent to consider the petitioner's prayer and pass orders within a period of twelve weeks from the date of receipt of a copy of this order.

6.Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tmg

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

The Commissioner,
Hindu Religious and Charitable Endowment
Department, (Administration),
Nungambakkam,
Chennai - 600 034.

+1 CC to M/s.SPL GP (SR-35627[F] dated 24/11/2021)

Order made in
W.P.(MD)No.4 of 2014
23.11.2021

RS (02.12.2021) 2P 3C