



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.10820 of 2021

WEB COPY

Vinayagamoorthy

... Petitioner

vs.

1. The Commissioner,
Food Safety and Drug Administration
Department,
359, Anna Salai,
Teynampet, D.M.S.Office,
Chennai.
2. The Designated Officer,
Food Safety and Drug Administration
Department,
B Block,
Collectorate Building,
Sathuvachery,
Vellore.
3. The Block Medical Officer,
Block Primary Health Centre,
Chekkanoorani, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 22.02.2020 and subsequent reminder representations dated 24.07.2020 and 10.06.2021 on merits and regularise the petitioner in the suspended period i.e., 24.09.2013 to 02.02.2020 and grant arrears of salary for the above said period.

For Petitioner : Mr.S.Poornachandran

For Respondents : Mr.P.Subbaraj,
Government Advocate.

ORDER

The petitioner has come out with the present Writ Petition for a direction to the first respondent to consider the petitioner's representation dated 22.02.2020 and the subsequent reminder representations dated 24.07.2020 and 10.06.2021 on merits and regularize the petitioner in the suspended period i.e., 24.09.2013 to 02.02.2020 and grant arrears of salary for the above said period.



2. According to the petitioner, while he was working as Food Safety Officer in Anaicut, Vellore District, he was suspended from service with effect from 24.09.2013, based on a criminal case registered against him and his arrest. After full fledged trial, the petitioner was acquitted in the aforesaid criminal case. On being acquitted, the first respondent, by the order dated 02.01.2020, revoked the order of suspension and the petitioner was reinstated into service and now he is working. The petitioner gave a representation dated 22.02.2020, followed by the reminders dated 24.07.2020 and 10.06.2021, seeking to regularize the period of suspension from 24.09.2013 to 02.02.2020 and to pay the salary. Since the same was not considered, the petitioner has come out with the present Writ Petition.

3. The learned Government Advocate appearing for the respondents submitted that the petitioner's representation will be considered and orders will be passed.

4. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents and perused the materials available on record.

5. The petitioner is seeking a direction to the first respondent to consider his representation dated 22.02.2020, followed by the reminders dated 24.07.2020 and 10.06.2021, and regularize the service of suspended period. Considering the same, it is suffice to direct the first respondent to consider the representation of the petitioner dated 22.02.2020, followed by the reminders dated 24.07.2020 and 10.06.2021 and pass orders on merits, within a period of four weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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.

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



To

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+1 CC to M/s.SPL GP (SR-20880[F] dated 01/07/2021)

W.P (MD) No.10820 of 2021
30.06.2021

RC (16.07.2021) 3P-5C