



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.13865 of 2021

WEB COPY

T.S.Sooriyanarayanamoorthy

... Petitioner

Vs.

1.The Principal Secretary to Government,
Revenue Department,
Secretariat,
Chennai-600 009.

2.The Principal Secretary and Commissioner of Revenue
Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.

3.The District Revenue Officer,
Madurai District,
Madurai-625 020.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the first respondent i.e., the Principal Secretary to Government, Revenue Department, Chennai to pass appropriate orders on the petitioner's representation dated 08.03.2021 within a specified time frame.

For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.S.Shanmugavel,
Government counsel

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. According to the petitioner, while he was in service a criminal case was lodged against him and the same was registered in S.C.No.19 of 2011. The petitioner was convicted by the trial Court on 22.05.2015 for Prevention of Corruption Cases, Madurai. Challenging the aforesaid judgment, he preferred an appeal in CrI.A.No.139 of 2015 before this Court and the said Appeal was allowed on 02.11.2020 and the petitioner was acquitted from the charges. Thereafter, the petitioner made a representation on 08.03.2021 to the respondents requesting to consider the



revocation of suspension order as well as the entitlement for terminal benefits. But till date, the said representation is pending, and no orders were passed. Hence, the petitioner has filed the present Writ Petition.

3. The learned counsel appearing for the respondents would submit that if such a representation is pending, it shall be considered and orders will be passed in accordance with law subject to the verification from the concerned Station House Officer based on the judgement passed by the this Court in Crl.A.No.139 of 2015 dated 02.11.2020.

4. In view of the above submissions of the parties, this Court will not decide the merits and de-merits in the present writ petition. Pursuant to the judgement of this Court in Crl.A.No.139 of 2015, the petitioner seeks to consider his representation dated 08.03.2021 if there is no legal impediment. Hence, without expressing any opinion on merits, this Court is inclined to direct the first respondent to consider the petitioner's representation dated 08.03.2021 on its own merits and in accordance with law and pass appropriate orders within a period of five months from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

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/ /2021

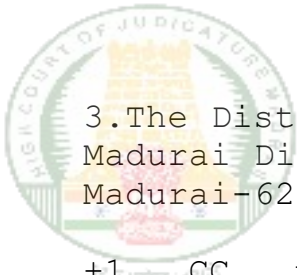
Sub Assistant Registrar(CS)

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To

1.The Principal Secretary to Government,
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Chennai-600 009.

2.The Principal Secretary and Commissioner of Revenue
Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.



3.The District Revenue Officer,
Madurai District,
Madurai-625 020.

+1 CC to M/s.S.VISVALINGAM, Advocate (SR-25754[F] dated
10/08/2021)

+1 CC to M/s.SPL GP (SR-25777[F] dated 10/08/2021)

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PS (CO)
SB(27.08.2021) 3P 6C