



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.11290 of 2017

WEB COPY

A.Balan

... Petitioner

Vs.

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Commissioner,
Panchayat Union,
Sivagangai.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the respondents to regularize the petitioner's service for the suspended period from 09.07.2007 to 13.07.2016 and to provide all the consequential monetary benefits and other incidental benefits therefrom based on the petitioner's representation dated 04.10.2016.

For Petitioner : Mr.N.Anandakumar

For Respondents : Mr.A.Karthik
Government Advocate
for R.1

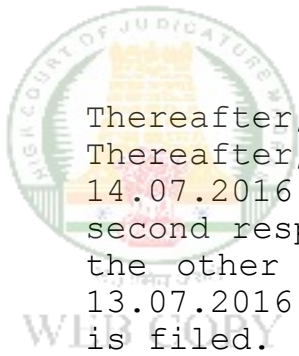
For Respondent No.2 : No appearance

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ORDER

This Writ Petition is filed seeking for issuance of a writ of Mandamus, to direct the respondents to regularize the petitioner's service for the suspended period from 09.07.2007 to 13.07.2016 and to provide all the consequential monetary benefits and other incidental benefits therefrom based on the petitioner's representation dated 04.10.2016.

2. The case of the petitioner is that the petitioner was working as an Attender and he was suspended from service on 09.07.2007 for the involvement of murder case of one Mohandas and thereafter, a criminal case was lodged and the same was taken into file in S.C.No.46 of 2008 and after trial, the petitioner was convicted and aggrieved by the same, the petitioner has preferred an appeal before this Court in C.A.No.138 of 2011 and this Court acquitted from all charges, vide order dated 25.02.2016.



Thereafter, the petitioner made a representation for reinstatement. Thereafter, the petitioner was reinstated into service on 14.07.2016. Thereafter, the petitioner made a representation to the second respondent on 04.10.2016 to regularize his service and extend the other monetary benefits between the period from 09.07.2007 to 13.07.2016 and since no order was passed, the present writ petition is filed.

3. Learned Counsel appearing for the petitioner would submit that it would suffice if a direction is given to the respondents to consider the representation of the petitioner dated 04.10.2016, within a stipulated time as fixed by this Court.

4. Learned Government Advocate appearing for the first respondent has no objection for granting such relief as now sought for by the petitioner.

5. Considering the limited scope of prayer as now sought for by the learned Counsel appearing for the petitioner, without going into the merits of the petitioner's case, the respondents are directed to consider the representation of the petitioner, dated 04.10.2016 seeking to regularize his service and other benefits, on merits and in accordance with law and dispose of the same within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

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

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Commissioner,
Panchayat Union,
Sivagangai.

+1 CC to M/s.SPL GP (SR-11179[F] dated 15/03/2021)

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12.03.2021

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ES (CO)
KK (31.03.2021) 3P 4C