



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.7992 OF 2020

P.Jeevanantham

...Petitioner

Vs.

1.The District Revenue Officer,
Tiruppur.

2.The District Collector,
Tiruppur.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 22.05.2017, within the time, stipulated by this Court on merits and as per law.

For Petitioner : Mr.K.V.Sridharan

For Respondent : Mr.M.Bindran
Additional Government Pleader

O R D E R

The prayer in the Writ Petition is for a Mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 22.05.2017, within the time stipulated by this Court on merits and as per law.

2. The petitioner, who was working as Assistant in Tiruppur Taluk Office, was arrested on 01.06.1999 by the Vigilance and Anti Corruption Coimbatore Wing for accepting a sum of Rs.6,000/- as bribe for issuance of Solvency Certificate from Thiru. N.Subramaniam. A criminal case was filed against the petitioner under Sections 7, 13(2) r/w. 13(1)(d) of the Prevention of Corruption Act, 1988 and he was placed under suspension, vide order dated 02.06.1999. The petitioner was convicted by the Criminal Court and based on the conviction, he was dismissed from service from 11.09.2003. Aggrieved against the judgment of conviction, the petitioner preferred an appeal before this Court in C.A.No.1495 of 2003 and the vide judgment



dated 22.03.2011, the conviction and sentence was set aside. Based on the judgment of acquittal, the petitioner has requested the respondents to regularize his period of suspension and dismissal period [01.06.1999 to 10.09.2003 & 11.09.2003 to 22.11.2016] as duty period by submitting a representation dated 22.05.2017 and since the petitioner's representation is kept pending without passing any orders, the petitioner has filed the present writ petition.

3. The first respondent has filed a Status Report stating that a proposal was submitted to the Principal Secretary / Commissioner of Revenue Administration for regularization of the petitioner's absence period to treat as duty period under Rule 54(B) of the Fundamental Rules and however, the individual was allowed to retire from service on 28.02.2017 on attaining superannuation. Regarding payment of benefits to the petitioner, the Revenue Secretary to Government has to pass an order by regularizing the absence period [01.06.1999 to 10.09.2003 and 11.09.2003 to 22.11.2016] as duty period by directing the Collector, Tiruppur to pay the benefits eligible to the petitioner. It is further stated in the Status Report that regularizing the period of suspension and dismissal of the petitioner, the Government has to pass orders and it is awaited.

4. It is to be noted that the petitioner has not arrayed the Secretary to Government, Revenue Department as party in this writ petition.

5. Recording the aforesaid stand taken by the first respondent in the Status Report, this Court directs the petitioner to approach the Secretary to Government, Revenue Department, Government of Tamil Nadu and make a request for regularization of the petitioner's absence period as duty period as well as payment of terminal benefits and appropriate orders may be passed on the petitioner's request at the earliest.

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

Sd/-
Assistant Registrar(CS-IX)

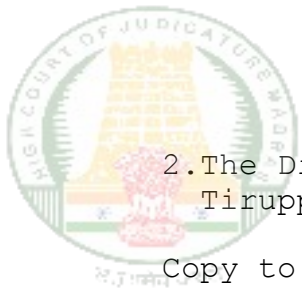
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Sub Assistant Registrar

Jvm

To

1.The District Revenue Officer,
Tiruppur.



2.The District Collector,
Tiruppur.

Copy to

WEB COPY

The Secretary to Government,
Revenue Department,
Government of Tamilnadu,
Fort St.George, Chennai-600 009.

+2ccs to M/s.K.V.Sridharan, Advocate, Sr.No.21465

+1cc to the Government Pleader, Sr.No.21332

W.P.No.7992 of 2020

SSN(CO)
RVM(08/04/2022)