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W.P.No.21184 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.21184 of 2022 and W.M.P. Nos.20182 and 20184 of 2022

Selvaraj

... Petitioner

Vs

1.The District Educational Officer,
Bhavani,
Erode District.

2.Block Educational Officer-II,
Ammapetai,
Erode.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the second respondent dated Na.Ka.No.003/A2/2022 dated 04.05.2022 and the consequential order of the second respondent in Na.Ka.No.003/A2/2022 dated 18.05.2022 deputing the petitioner to the School at Maravapalayam and the consequential order of the first respondent R.C. No.6474/b2/2022 dated 23.05.2022 placing the petitioner under suspension and quash the same and consequently direct the respondents to permit the petitioner to join duty at Alankariyur Panchayat Union Middle School as per the order of transfer.



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For Petitioner

... Ms.Dakshayani Reddy

For Respondents

... Mr.R.V.Dinesh Rajkumar,
Additional Government Pleader

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ORDER

The petitioner has challenged the impugned suspension order dated 23.05.2022 in this writ petition.

2.Learned counsel for the petitioner would submit that suspension has now been revoked on 24.09.2022. Learned counsel for the petitioner would further submit that the period of suspension of the petitioner pursuant to the impugned suspension order has to be treated as period of duty. She would now submit that the petitioner will give a representation to the respondents requesting them to treat the said period as period of duty, provided the respondents are directed by this Court to consider the said representation, on merits and in accordance with law, within a time frame to be fixed by this Court.

3.The revocation order has also been placed before this Court and it is



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taken on record. A counter affidavit has been filed by the respondents.

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4.No prejudice would be caused to any of the parties if such a direction is issued by this Court after recording the statement made by the learned counsel for the petitioner.

5.The writ petition is disposed of by directing the petitioner to submit a representation to the first respondent requesting the respondents to treat the period of suspension from 23.05.2022 till 24.09.2022 as period on duty, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the first respondent shall pass final orders, on merits and in accordance with law, within a period of eight weeks thereafter.

6.With the aforesaid directions, the writ petition stands disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

16.12.2022



vga

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ABDUL QUDDHOSE, J.

vga

To

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Erode District.

2.Block Educational Officer-II,
Ammapetai,
Erode.

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