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W.P.No.27969 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.27969 of 2022

C.K.Prathap

... Petitioner

Versus

1.The Regional Deputy Commissioner (North),
Greater Chennai Corporation,
Ripon Building, Chennai -600 003.

2.The Zonal Officer,
Zonal Office -IV,
Greater Chennai Corporation,
Washermanpet, Chennai - 600 021.

.... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus, directing the respondents to pay the entire arrears of the salary and other annual increments for the period of suspension i.e., from 08.02.2019 to 21.10.2019 along with interest at the rate of 12% per annum from 21.10.2019 to till the date of payment.

For Petitioner : Mr.K.Premkumar
For Respondents : Mr.S.Gopinathan
Standing Counsel



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ORDER

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This writ petition has been filed for a Mandamus seeking for a direction directing the respondents to pay the entire arrears of the salary and other annual increments for the period of suspension i.e., from 08.02.2019 to 21.10.2019 along with interest at the rate of 12% per annum based on the petitioner's representation dated 26.07.2022 within a time frame to be fixed by this Court.

2. The petitioner was suspended from service from 08.02.2019 to 21.10.2019 on account of his involvement in a criminal case. The petitioner now contends that the said criminal case is a dispute involving his sister. According to the petitioner, the criminal case has now been quashed by the order of this Court on 10.04.2019 in Crl.O.P.No.9626 of 2019. The petitioner further submits that he has now been reinstated in service. In such circumstances, the petitioner has given a representation on 26.07.2022 seeking for payment of entire arrears of his salary and other annual increments which was not fully paid during the period of his suspension. Since the representation has not been considered, he has filed this writ petition.



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3. Heard Mr.K.Premkumar, learned counsel for the petitioner and Mr/S.Gopinathan, learned Standing Counsel accepts notice on behalf of the respondents. By consent of both the parties, the main writ petition has been taken up for final disposal.

4. No prejudice would be caused to the respondents if the petitioner's representation as stated supra is considered on merits and in accordance with law within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 26.07.2022 seeking for payment of entire arrears of salary and other annual increments during the period of his suspension between 08.02.2019 and 21.10.2019 @ 12%. p.a within a period of twelve weeks from the date of receipt of a copy of this order.

With the aforesaid direction, the writ petition is disposed of. No costs.

20.10.2022

sr

Index: Yes/No

Speaking Order/Non-Speaking Order



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ABDUL QUDDHOSE,J.,

sr

To

- 1.The Regional Deputy Commissioner (North),
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