



WP No.35548 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-10-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.35548 of 2019

And

WMP No.36399 and 36405 of 2019

Mrs.Rita Premabai

..

Petitioner

VS.

- 1.The Director of School Education,
D.P.I. Buildings,
College Road,
Chennai-600 006.
- 2.The Chief Educational Officer,
Vellore,
Vellore District.
- 3.The District Educational Officer,
Tirupatture,
Vellore District.
- 4.The Correspondent,
Devalois Higher Secondary School,
Kasam, Katpadi,
Vellore District.



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5.The Headmaster,
Devalois Higher Secondary School,
Kasam, Katpadi,
Vellore District.

6.Thiru Chandra Devasenan ..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned order of the fourth respondent dated 19.08.2019 and quash the same and directing the respondents to reinstate the petitioner in service as Record Clerk in the fifth respondent-School with all consequential benefits.

For Petitioner	: Mr.S.N.Ravichandran
For Respondents-1 to 3	: Ms.S.Mythreye Chandru, Special Government Pleader.
For Respondents-4 and 5	: Mr.A.M.Amutha Ganesh for M/s.Norton and Grant
For Respondent-6	: Mr.D.A.Sugumar

O R D E R

The order of suspension issued by the fourth respondent in proceedings dated 19.08.2019 is sought to be quashed in the present writ petition.



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2. The learned Special Government Pleader, appearing on behalf of the respondents 1 to 3, made a submission that the impugned order of suspension had already been revoked and the petitioner was reinstated in service on 03.12.2020.

3. Regarding the regulation of the suspension period and payment of wages, the learned Special Government Pleader, appearing on behalf of the respondents 1 to 3, made a submission that the respondent-School has to submit the necessary proposal to the Competent Authorities, who in turn have to consider the same in accordance with the Rules in force.

4. In this regard, in the counter affidavit filed on behalf of the respondents 1 to 3, the relevant paragraphs 7 and 8, read as under:-

“7. It is submitted that the relief sought for by the petitioner is revocation of suspension order passed by the fourth respondent against the petitioner. As the fourth respondent has revoked the order of suspension and reinstated the petitioner as Record Clerk with



effect from 03.12.2020, nothing survives in the matter and the writ petition is liable to be dismissed as infructuous. If any proposal is received from the fourth respondent with regard to regulation of suspension period and sanction of annual increments to the petitioner, the same will be considered on merits and appropriate orders would be passed thereon.

8. It is submitted that in pursuance of the orders of the Hon'ble Court dated 06.03.2020 in WMP No.36405 of 2020, granting interim stay of the order of suspension of the petitioner, the petitioner suspension was revoked and she was reinstated in service. As the orders of the Hon'ble Court was fully complied with, the interim stay ordered by the Hon'ble Court may please be vacated and thus render justice.”

5. This being the factum, no further consideration needs to be entertained in respect of the other grounds raised in the present writ petition. However, the fourth respondent has to submit necessary proposal as expeditiously as possible to the Competent Authorities for further action in the manner known to law.



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6. Accordingly, the writ petition stands disposed of. However,

there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes/No.

Internet : Yes/No.

Speaking Order/Non-Speaking Order.

Svn

To

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