



W.P.(MD)No.15104 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**
and
THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.15104 of 2022

Uma Rani

... Petitioner

Vs.

1.The Registrar General,
High Court,
Madras.

2.The Principal District Judge,
Dindigul District Court,
Dindigul.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 & 2 to regularize the Petitioner's suspension period and grant appropriate annual increments.

For Petitioner : Mr.R.Murali

For Respondents : Mr.D.Sivaraman
Standing Counsel

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ORDER

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(Order of the Court was made by **S.S.SUNDAR, J.**)

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the Respondents 1 & 2 to regularize the petitioner's suspension period and grant appropriate annual increments.

2. Heard Mr.R.Murali, learned counsel for the petitioner and Mr.D.Sivaraman, learned Standing Counsel for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that she belongs to 'Hindu Kuravan' community, which is a Scheduled Caste Community, as per the list of Communities approved by the State Government. It is also stated that the petitioner and of her family members and relatives were issued community certificates showing that they belong to 'Hindu Kuravan' community.

4. The petitioner was appointed as Office Assistant on 21.05.1997 at District Munsif Court, Dindigul and subsequently



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transferred to District Court, Dindigul and now she is working as Junior Bailiff at District Munsif cum Judicial Magistrate Court, Natham, Dindigul District. The petitioner, at the instance of her own son-in-law, faced departmental proceedings regarding her communal status and she was placed under suspension. Challenging the same, the petitioner filed W.P.(MD) No.19679 of 2016 and obtained an interim order. Based on the interim order, the petitioner was allowed to work continuously. Meanwhile, the respondents referred her Community Certificate to the District Level Committee for verification of the communal status of the petitioner. The District Level Committee confirmed that the petitioner belongs to 'Hindu Kuravan' community after due enquiry by order dated 26.12.2017.

5. The grievance of the petitioner is that her suspension period from 28.09.2016 to 16.10.2016 was not regularized and the petitioner's annual increment was not granted to her in January, 2017. A representation was submitted by the petitioner to the second respondent through proper channel on 23.07.2021 and later on 29.10.2021. Since the representation was not considered by the second respondent and the representation is



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pending for a long period, the above writ petition has been filed.

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6. Though this Court prima facie convinced that the case of the petitioner and her entitlement to regularization of period of suspension, this Court, without expressing any final opinion on the merits of the petitioner's representation, directs the respondents to consider the representation of the petitioner dated 29.10.2021 on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. The writ Petition stands disposed of with the above directions. No costs.

[S.S.S.R., J.] [S.S.Y., J.]
15.07.2022

Index : Yes / No
sj

To

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and

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sj

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