



W.P.(MD).No.4555 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4555 of 2023

D.Iruthayasamy

... Petitioner

vs.

1.The District Educational Officer,
Batlangundu Educational District,
Batlangundu,
Dindigul.

2.The Block Educational Officer,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 16.02.2023 made regard to allowing him to join duty and pay all his service benefits from the date of suspension period i.e., 14.12.2012 within the time limit that may be stipulated by this Court.



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For Petitioners : Mr.S.Willson

For Respondents : Mr.J.Ashok

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 16.02.2023, seeking to allow him to join duty and to pay all his service benefits from the date of suspension i.e., on 14.12.2012.

2. The case of the petitioner is that he worked as Secondary Grade Teacher in Panchayat Union Middle School, Mangalamkombu and he was placed under suspension on 14.12.2012, based on the complaint given by his wife. Subsequently, a criminal case has been registered against him in Crime No.50 of 2011 and the same was taken on file in C.C.No.378 of 2012 by the learned Judicial Magistrate, Theni, which was ended in acquittal, vide order dated 01.06.2016. In spite of being



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acquitted in the criminal case, the petitioner was not reinstated into service and the departmental proceedings initiated against him was also pending. The petitioner is going to retire on 30.04.2023. Hence, he has made a representation to the respondents on 16.02.2023, seeking to allow him to join duty. Since the said representation has not been considered, the petitioner has filed this writ petition.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the first respondent to consider the petitioner's representation dated 16.02.2023 and pass appropriate orders.

4. Heard the learned counsel for the petitioner and learned Additional Government Pleader appearing for the respondents.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation



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dated 16.02.2023 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

03.03.2023

akv

To

- 1.The District Educational Officer,
Batlangundu Educational District,
Batlangundu,
Dindigul.
- 2.The Block Educational Officer,
Kodaikanal,
Dindigul District.

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M.DHANDAPANI,J.

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