



W.P.(MD)No.11814 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.11814 of 2020

K.Chellapandi

: Petitioner

Vs.

The Joint Director(K.R)
Madurai District,
Madurai - 20.

: Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondent to regularize the petitioner's service and consider the petitioner's representation dated 26.2.2020.

For Petitioner : Mrs.J.Balameenakshi

For Respondent : Mr.G.V.Vairam Santhosh
Additional Government Pleader



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ORDER

This writ petition has been filed to direct the respondent to regularize the petitioner's service and consider the petitioner's representation dated 26.2.2020.

2. The learned counsel for the petitioner submitted that the petitioner was appointed as a Watchman by the respondent. However, all of a sudden on 20.04.2016, the petitioner was arrested by the Sub-Inspector of Police, Theni, on the ground that the petitioner had cheated one Prabakaran and based on his complaint, FIR was registered for the offence under Sections 406, 420, 294(b) and 506(ii) IPC and he was arrested and remanded to judicial custody and thereafter, he was released on bail. After the arrest, the petitioner was placed under suspension with effect from the date of arrest i.e., on 20.04.2016 and subsequently, issued a charge memo on 22.12.2016 and the respondent had called for an explanation from the petitioner and the same was explained by the petitioner and thereafter, an Enquiry Officer was appointed and subsequently, the suspension order was



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revoked on 07.05.2018. After revocation of suspension, the petitioner peacefully employed for 1-1/2 years and his service was not regularised till date and he was receiving only the basic salary and thereafter, the petitioner made a representation, dated 26.02.2020 for regularization of his service and till date, no order was passed. Hence, the present writ petition is filed with the afore said prayer.

3. The learned counsel for the petitioner further submitted that a criminal case registered against the petitioner in a private dispute. As instructed by the money lender, the case was registered against him and there is nothing to do with the employment and subsequently, the petitioner's suspension was revoked and he also continued in service. However, till date, his service was not regularised. Hence, this Court may issue a direction to the respondent to consider the petitioner's representation, dated 26.02.2020 and pass appropriate orders within the time limit.



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4. Considering the limited request made by the learned counsel for the petitioner, this Court directs the respondent to consider the petitioner's representation, dated 26.02.2020 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

02.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

RM

To

The Joint Director(K.R)
Madurai District,
Madurai-20.



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M.DHANDAPANI,J.

RM

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