



W.P.(MD)No.1647 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.1647 of 2015

V.Nagaraj Kannan

... Petitioner

VS.

- 1.The Chief Educational Officer,
Office of the Chief Educational Office,
Ramanathapuram,
Ramanathapuram District.
- 2.The District Educational Officer,
Paramakudi,
Ramanathapuram District.
- 3.The Secretary,
K H N Nadar Higher Secondary School,
Perunali,
Kamuthi taluk,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Mandamus*, directing the third respondent to pay the eligible



W.P.(MD)No.1647 of 2015

WEB COPY

full salary for the entire period of suspension from 27.03.2012 till the date of dismissal from service, dated 12.04.2014.

For Petitioner : No appearance

For Respondents : Mr.Om Prakash
Government Advocate for R-1 and R-2

Mr.N.Dilipkumar for R-3

ORDER

This Writ Petition has been filed seeking salary for a period from 27.03.2012 till the date of dismissal, dated 20.06.2013.

2. The petitioner was suspended from service from 09.04.2012. Subsequently a charge memo was issued and he was dismissed from service on 20.06.2013. The charge against the petitioner is grave in nature and the same was considered in various forums and punishment was confirmed. Now, the petitioner is claiming salary for the entire period.

3. The learned counsel appearing for the respondents and the private respondent submitted that the petitioner was suspended from service on 09.04.2012 and not from 27.03.2012 as claimed by the writ petitioner.



W.P.(MD)No.1647 of 2015

WEB COPY

4. The charge memo was issued on 27.03.2012. Even though, it was issued on that date, the petitioner was not suspended on that date and the petitioner has received 50% of the salary for the period from 09.04.2012 to 20.06.2013, through various challans, wherein the respondents have given tabulation of payment. The petitioner was subsequently dismissed from service. Therefore, he is not entitled to full salary for the period from 09.04.2012 to 20.06.2013. Therefore, the claim of the petitioner is misconceived.

5. Accordingly, this Writ Petition stands dismissed. No Costs.

Index : Yes / No

10.04.2023

Internet : Yes

ksa

To

1.The Chief Educational Officer,
Office of the Chief Educational Office,
Ramanathapuram,
Ramanathapuram District.

2.The District Educational Officer,
Paramakudi,
Ramanathapuram District.



WEB COPY



W.P.(MD)No.1647 of 2015

S.SRIMATHY, J

ksa

Order made in
W.P.(MD)No.1647 of 2015

10.04.2023