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W.P.No.12912 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

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THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.12912 of 2024

N.Tharmaraj

... Petitioner

Vs.

The Inspector General of Registration,
Santhome High Road,
Chennai – 600 028.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondent therein to consider and pass orders on the petitioner's representation dated 08.12.2023 on merits and accordance with law with regard to payment of pension and terminal benefits and to treat the period of out of employment including the period of suspension as duty for all purposes under Ruling 9 of Fundamental Rule 54.

For Petitioner : M/s.G.Bala and Daisy

For Respondent : Mr.P.Anandakumar
Government Advocate



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ORDER

The writ petition has been filed for a mandamus to direct the respondent therein to consider and pass orders on the petitioner's representation dated 08.12.2023 on merits and accordance with law with regard to payment of pension and terminal benefits and to treat the period of out of employment including the period of suspension as duty for all purposes under Ruling 9 of Fundamental Rule 54.

2. The learned counsel for the petitioner would submit that the petitioner was placed under suspension on the ground of pendency of the criminal case. The criminal case ultimately ended in acquittal. Therefore, the entire period of suspension has to be treated as duty for all purposes as per Rule 9 of the Fundamental Rules, 54.

3. Mr.P.Anandakumar, learned Government Advocate takes notice for the respondent and submit that the respondent would pass orders by duly considering the representation and also taking into account the rule position, in the matter of treating the period of suspension.



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4. In view thereof, this Writ Petition is disposed of with the following terms:-

(i) The respondent shall pass final order with respect to treating the period of suspension as per the applicable rules and by duly taking into account of the petitioner's representation dated 08.12.2023.

(ii) The said exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order.

(iii) No costs.

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Neutral Citation :No
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D.BHARATHA CHAKRAVARTHY, J.

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