



W.P.No.22404 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22404 of 2022

Arulmurugan

... Petitioner

Vs.

- 1.The Director,
Directorate of Social Welfare,
Guindy, Chennai-32
Tamilnadu
- 2.The District Project Office(ICDS),
Office of the District Project Office,
Perambalur,
Tamilnadu
- 3.The Chief Development Project Officer,
Integrated Child Development Scheme(ICDS),
Perambalur Block, Perambalur District,
Tamilnadu

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the respondents to pay the petitioner his unpaid salary for the period from July 2020 to December 2020, a sum of Rs.1,77,504/- (One Lakh Seventy Seven Thousand Five Hundred and Four Rupees Only) with interest, within a stipulated time.

For Petitioner : Mr.P.R.Thiruneelakandan



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For Respondents : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

This writ petition has been filed for direction to the respondents to pay unpaid salary for the period from July 2020 to December 2020 to the tune of Rs.1,77,504/- with interest.

2. The petitioner had joined in the Annamalai University as Office Assistant in the year 2017. Various employees were deputed to various Government Departments. Accordingly, on 15.06.2017, the petitioner was transferred to Project Office, ICDS, Karur. Once again, he was transferred to Child Development Project Office, ICDS, Perambalur Block, Perambalur as Office Assistant. While being so, the non salary disbursement (NSD) deduction of employees of Annamalai University employed in various Government Departments had been deducted and wrongly remitted in his bank account along with other employees. Therefore, FIR was registered in crime No.10 of 2020 on the file of the District Crime Branch, Karur for the offence under Sections 406, 409,



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420 of IPC r/w Section 66-C of IT Act, in which the petitioner is also one of the accused. In pursuant to the registration of FIR, the petitioner was suspended from service by an order dated 17.06.2021. However, the petitioner was not paid salary from 01.07.2020 to 31.12.2020 placing the above FIR as a reason for non payment of his salary.

3. On perusal of records, though FIR was registered in Cr.No.10 of 2020 on the file of the District Crime Branch, Karur, the petitioner was allowed to work till the date of order of suspension i.e. 17.06.2021. However, he was not paid salary from 01.07.2020 to 31.12.2020. Therefore, the petitioner submitted representation.

4. Considering the above, the respondents are directed to consider the request made by the petitioner and disburse his unpaid salary for the period from July 2020 to December 2020, if otherwise the petitioner is eligible, within a period of eight weeks from the date of receipt of copy of this order.



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5. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

16.02.2024
(2/2)

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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