



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.24918 of 2024

S.Senguttuvan

... Petitioner

Vs.

1.The Director of Elementary Education,
College Road,
Chennai – 6.

2.The District Educational Officer,
Ariyalur District,
Ariyalur.

3.The Block Educational Officer,
Sendural Block, Ariyalur,
Ariyalur District.

4.Solai Aided Primary School
(Now under Direct Payment)
Rep. by the Block Educational Officer,
Siluppanur, Sendurai Taluk,
Ariyalur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent 1 to 3 to regularize the period of suspension of the petitioner from 14.10.2019 to 02.01.2022 and disburse



the arrears of salary and other consequential monetary and attendant benefits for the said period.

For Petitioner : Mr.S.N.Ravichandran

For Respondent : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents 1 to 3 to regularize the period of suspension of the petitioner from 14.10.2019 to 02.01.2022 and to disburse the arrears of salary and other consequential monetary and attendant benefits for the said period.

2.Heard Mr.S.N.Ravichandran, learned counsel appearing on behalf of the petitioner and Mrs.S.Mythreye Chandru, learned Special Government Pleader appearing on behalf of the respondents.

3.The case of the petitioner is that he was working as a Secondary Grade Teacher in the 4th respondent School from the year 2007. The 4th respondent School passed an order suspending the petitioner from service by an order dated 14.10.2019. The District Educational Officer through proceedings dated 03.04.2021 revoked the order of suspension. The 4th respondent did not allow the



petitioner to join duty. The School filed W.P.No.11784 of 2021 challenging the order of District Educational Officer revoking the suspension. This Court directed the 4th respondent School Management to first permit the petitioner to join duty. Pursuant to such direction issued by this Court, the petitioner was permitted to join duty in the 4th respondent School.

4.As a subsequent development, the Correspondent of the 4th respondent School died on 03.12.2021. On account of the same, the 4th respondent School was brought under direct payment and the same status continues till date.

5.The grievance of the petitioner is that in spite of the order of suspension being revoked by the District Educational Officer, the period of suspension from 14.10.2019 to 02.01.2022 was not regularized and the monetary and attendant benefits were not paid to the petitioner for this period. The representation made by the petitioner in this regard also did not evoke any response. It is under these circumstances, the present writ petition has been filed before this Court.

6.The learned Special Government Pleader appearing on behalf of the respondents 1 to 3 submitted that the 4th respondent School had challenged the



order of the District Educational Officer revoking the order of suspension and the said writ petition in W.P.No.11784 of 2021, is pending before this Court. The learned Special Government Pleader further submitted that the 4th respondent School is now under direct payment and that steps are being taken to appoint a Special Officer.

7.In the considered view of this Court, the 4th respondent School challenging the order passed by the District Education Officer, pales into insignificance by virtue of the subsequent development that took place, wherein, the Correspondent died and the School has now been brought under direct payment. Steps are also being taken to appoint a Special Officer. Therefore, W.P.No.11784 of 2021 has almost lost its significance.

8.Taking into consideration the facts and circumstances of the case and the materials placed before this Court and considering the submissions made on either side, there shall be a direction to the 1st and 2nd respondents to deal with the representation made by the petitioner on 19.02.2024 seeking for regularization for the period of suspension and to pay the monetary and attendant benefits, on its own merits and in accordance with law and decision shall be taken, within a period of



six weeks from the date of receipt of copy of this order.

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9.This writ petition is disposed of with the above directions. No Costs.

28.08.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

- 1.The Director of Elementary Education,
College Road, Chennai – 6.
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- 3.The Block Educational Officer,
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N. ANAND VENKATESH, J.

SSR

4.The Block Educational Officer,
Solai Aided Primary School
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Siluppanur, Sendurai Taluk,
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