



W.P.(MD)No.19425 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.19425 of 2022

P.Ganapathy

: Petitioner

Vs.

1.The District Educational Officer,
Cheranmahadevi Educational District,
Tirunelveli Town, Tirunelveli District.

2.The Secretary,
P.L.W.A. Higher Secondary School,
V.K.Puram, Tirunelveli District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to regularize the period of suspension the period of medical leave and other leaves and to pass final orders on the disciplinary proceedings instituted against the petitioner and to retransmit his pension proposal with in a period that may be fixed by this Court.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.M.Senthil Ayyanar

Government Advocate for R1

Mr.M.P.Senthil for R2



W.P.(MD)No.19425 of 2022

WEB COPY

ORDER

The writ petition has been filed seeking for a mandamus to the respondents to regularize the period of suspension and the period of medical leave and other leaves and to pass final orders on the disciplinary proceedings instituted against the petitioner and to re-transmit his pension proposal within a time frame.

2. The learned counsel for the petitioner submitted that the petitioner has already filed a writ petition in W.P.(MD) No.6564 of 2017 and this Court by order dated 13.08.2024, had directed the fifth respondent to pass final orders on the petitioner's representation dated 21.02.2017 seeking for regularization of the period of suspension as 'period of duty' within a period of eight weeks from the date of receipt of a copy of that order. Further, in the event of the fifth respondent coming to the conclusion that the period of suspension of the petitioner can be regularized, the fifth respondent is directed to submit a proposal to the fourth respondent for acceptance of the pension proposal and on receipt of the said proposal, the fourth respondent shall pass final orders on



W.P.(MD)No.19425 of 2022

merits and in accordance with law.

3. The learned counsel for the petitioner further submitted that the present writ petition is also filed for a mandamus to the respondents to regularize the period of suspension and the period of medical leave and other leaves and to pass final orders on the disciplinary proceedings instituted against the petitioner and to re-transmit his pension proposal.

4. Since already the directions had been given to the fifth respondent in W.P.(MD) No.6564 of 2017 by order dated 21.02.2017, nothing survives in the present writ petition for further adjudication. However, the learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to pursue the order made in W.P.(MD) No.6564 of 2017 and he has also made an endorsement to that effect in the court record.

5. Granting such liberty, the writ petition is dismissed as withdrawn. No costs.

18.10.2024

Index : Yes / No



W.P.(MD)No.19425 of 2022

Internet : Yes / No

WEB COPY
PKN

J.SATHYA NARAYANA PRASAD, J.

PKN

To

The District Educational Officer,
Cheranmahadevi Educational District,
Tirunelveli Town, Tirunelveli District.

W.P.(MD) No.19425 of 2022

18.10.2024