



W.P.(MD)No.14045 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.14045 of 2018

S.Juliet Jenifar

... Petitioner

/Vs./

- 1.The Government of Tamilnadu,
Rep. by the Secretary,
Department of School Education,
Fort.St.George, Chennai-9.
- 2.The Director of Elementary Education,
Department of Primary Education,
Chennai.
- 3.The Chief Educational Officer,
Chief Educational Office,
Dindigul District.
- 4.The District Elementary Educational Officer,
District Elementary Educational Office,
Dindigul District.
- 5.The Block Educational Officer,
Block Educational Office,
Dindigul District.



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6. The Jehova Reformation Christian Primary School,
Rep. By its Correspondent,
Silovom Nagar,
Jambliampatty Post,
Dindigul-624 005,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents Nos.3 to 6 to regularize the period of 3 months 14 days from 20/12/2017 to 05/04/2018 as duty period and provide monetary benefits for the period of suspension to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.G.Karthik
for M/s.S.Rajasekar
For Respondent : Mr.T.Amjad Khan (R1 to R5)
Government Advocate
No appearance (R6)

ORDER

This writ petition has been filed for a mandamus, seeking for a direction to the respondents 3 to 6 to regularize the period of 3 months 14 days from 20/12/2017 to 05/04/2018 as duty period for the petitioner and provide monetary benefits for the said period within a time frame to be fixed by this Court.



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2. Earlier, the petitioner was suspended from service from 20.12.2017 to 05.04.2018. However, the said suspension order was quashed by this Court, by its order dated 25.01.2018 passed in WP(MD)No.921 of 2018. Since the suspension order has been quashed, the petitioner claims that the aforesaid period has to be treated as duty period. The petitioner, prior to the filing of this writ petition, has given a representation for the said purpose, but the same has not been considered.

3. No prejudice will be caused to the respondents, if the petitioner is allowed to give a fresh representation seeking for the relief as sought for in this writ petition and a direction is issued to the respondents to consider the same on merits and in accordance with law, within a time frame to be fixed by this Court.

4. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the respondents 3 to 6 seeking to treat the period of her service from 20.12.2017 to 05.04.2018 as duty period and provide monetary benefits for the said period on account of quashing of the suspension order by this Court, in its order dated 25.01.2018



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passed in WP(MD)No.921 of 2018, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents 3 to 6 are directed to pass final orders on merits and in accordance with law, on the petitioner's representation within a period of twelve weeks thereafter.

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

No costs.

19.10.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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Order made in
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Dated:
19.10.2024