



W.P.No. 6769 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 26.02.2025

CORAM:

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.6769 of 2025

M. Chandrasekaran

... Petitioner

VS

1. The District Educational Officer (Elementary)
Namakkal Educational District,
Namakkal.

2. The Block Educational Officer-I,
Thiruchengode Block,
Thiruchengode,
Namakkal District,

3. The Special Officer,
Kalaimagal Kalvi Nilayam,
Government Aided Middle School,
Thiruchengode, Namakkal District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ or Direction, specifically Writ in the nature of Writ of Mandamus directing the respondents to consider the petitioner's suspension period of 829 days from 11.01.2016 to 19.04.2018 as duty period and pay all attendant monetary benefits with continuity of service by considering the petitioner's representation dated 24.01.2025 and pass appropriate orders, within a time frame to be fixed by this Hon'ble Court.



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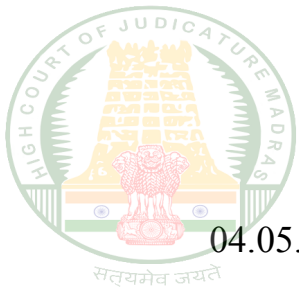
For Petitioner
For Respondents

: Mr. C. Munusamy
: Ms. Mythreye Chandru
Special Government Pleader.

ORDER

This Writ Petition has been filed in the nature of a Mandamus to examine the representation given by the petitioner on 24.01.2025. By that representation the petitioner sought to consider the suspension period between 11.01.2016 and 19.04.2018 as duty period and to pay monetary benefits.

2. In the affidavit filed in support of the Writ Petition, it had been stated that the petitioner was initially appointed as a secondary grade teacher on 18.02.2005 at the Government Aided Middle School, Kalaimagal Kalvi Nilayam, Thiruchengode/third respondent. It had been stated that an FIR in Crime No.9/2016 had been registered under Section 380 IPC against the petitioner on 10.01.2016. The petitioner was arrested and remanded to custody and he was suspended on 11.01.2016. Thereafter, a final report was filed after investigation, which was taken cognisance as CC No.42/2016 by the Judicial Magistrate No.III, Salem. The petitioner was acquitted of all the charges by a judgment dated



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04.05.2017. Thereafter, the petitioner was reinstated into service on

19.04.2018.

3. It is claimed that the period of suspension between 11.01.2016 and 19.04.2018 should be considered as duty period. It had been considered as a leave period by the respondents and entry had also been made in the Service Register. The petitioner had not chosen to correct the same immediately but rather given a representation in this regard. The petitioner must explain the delay and laches in taking up the issue after a period of 7 years. The third respondent may examine the surrounding details and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

4. With the above directions, this writ petition stands disposed of.

No costs.

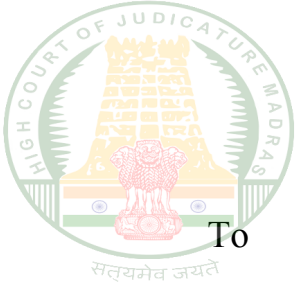
26.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

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To

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