

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2015

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THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.12748 of 2015

And

M.P.No.1 of 2015

Tmt.N.Bhavani

... Petitioner

Vs.

1.The District Collector
Villupuram District,
Villupuram.

2.Director of Elementary Education,
DPI Complex College Road,
Chennai - 600 006.

3.The District Elementary Educational Officer
Villupuram,
District Villupuram.

4.The Additional Elementary Educational Officer
Thirukovilure,
Villupuram District

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus by calling for the records of the 3rd respondent in Na.Ka.No/4549/A4/2014 dated 27.02.2015 and quash the same and consequently direct the 3rd respondent to grant the petitioner all the consequential service benefits due to the petitioner within a time stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Sivaji

For Respondent : Mr.S.Gunasekaran
Government Advocate

O R D E R

Heard both sides. By consent the writ petition is taken up for final disposal.

2.Petitioner is a Head Mistress. She is placed under suspension by the impugned order dated 27.02.2015 under Rule 17 (e) of the Tamil Nadu Civil Service (Disciplinary and Appeal) Rules. In the suspension order it is stated that since the department is inclined to hold disciplinary action on various allegations, the petitioner is placed under suspension.

3.The learned counsel appearing for the petitioner has questioned the suspension order on the sole ground that no criminal case is registered against the petitioner and therefore, the petitioner could not have been placed under suspension.

4.Rule 17(e) of the Tamil Nadu Civil Service (Disciplinary and Appeal) Rules vest power with the concerned Authorities to place the Government servant under suspension even pending disciplinary action. Hence, I am not inclined to interfere with the suspension order and this writ petition is dismissed. However, this could not preclude the petitioner to question the suspension order if the suspension is prolonged for a longer period. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1. The District Collector
Villupuram District,
Villupuram.

2.Director of Elementary Education,
DPI Complex College Road,
Chennai - 600 006.

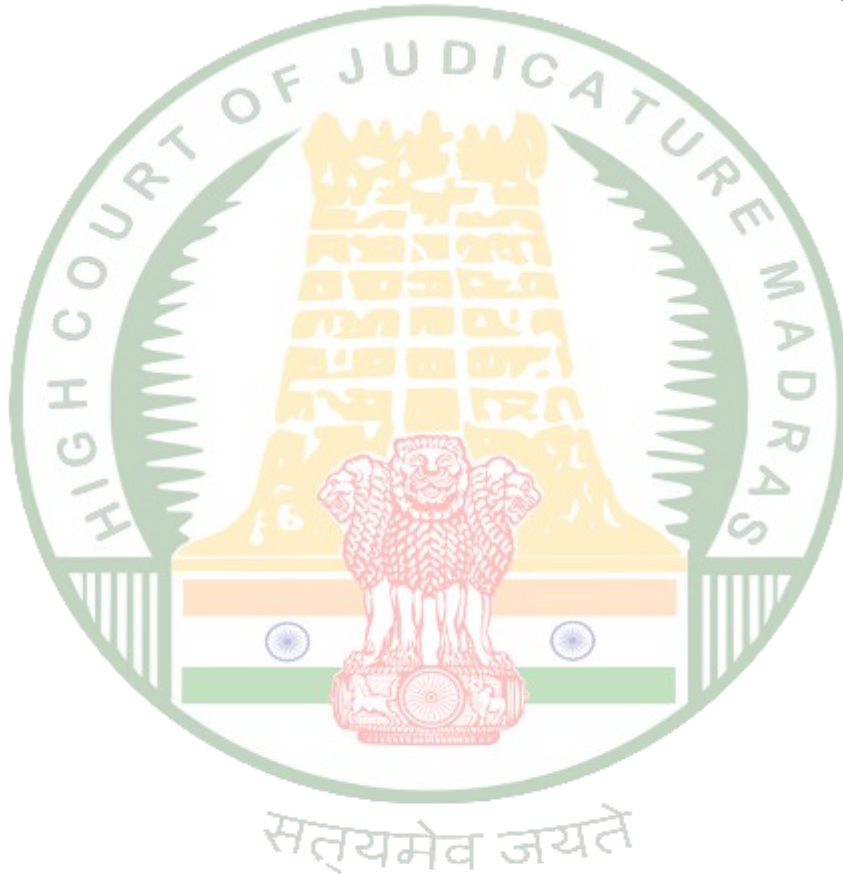
3.The District Elementary Educational Officer
Villupuram,
District Villupuram.

4.The Additional Elementary Educational Officer
Thirukovilure,
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1 cc to Mr.A. Sivaji, Advocate, Sr. 23538
1 cc to Government Pleader, Sr. 23744

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