

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.10491 of 2013
and M.P.Nos.1 of 2013 & 1 of 2014

R.Senthil Kumar

Vs.

...Petitioner

1. The Chief Engineer,
Operation and Maintenance,
TANGEDCO, Erode Region,
Erode.
2. The Executive Engineer,
Operation and Maintenance,
TANGEDCO, Namakkal.
3. The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, North Section,
Senthamangalam, Namakkal.

....Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorarified Mandamus, calling for the records from the file of the second respondent in proceedings in Memo No.060/Adm/A1/F.DOC/2012, dated 22.9.2012 and quash the same and further direct the second respondent to reinstate the petitioner in to the service with all attendant benefits.

For Petitioner : Mr.C.Kulanthaivel

For Respondents : Mr.P.R.Dhilip Kumar

O R D E R

The petitioner was placed under suspension by the second respondent on account of his involvement in a criminal case registered by the All Women Police Station at Namakkal on 14.03.2012. The suspension was made early as on 22.09.2012. It is the grievance of the petitioner that the second respondent has not taken any action to review the suspension. The petitioner is therefore before this court.

2. The learned counsel for the petitioner submitted that the criminal original petition was stayed on account of his wife

seeking transfer of trial from Judicial Magistrate No.1, Namakkal to Judicial Magistrate, Madurai. The learned counsel for the petitioner therefore submitted that appropriate direction should be issued to the second respondent to review the suspension taking into account the fact that he was not responsible for the pendency of the criminal case.

3. The second respondent is directed to consider and dispose of the representation submitted by the petitioner dated 01.10.2012 to review his suspension taking into account the subsequent events on merits and as per law. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

4. The writ petition is disposed of with the above direction. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Engineer,
Operation and Maintenance,
TANGEDCO, Erode Region,
Erode.
2. The Executive Engineer,
Operation and Maintenance,
TANGEDCO, Namakkal. सत्यमेव जयते
3. The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, North Section,
Senthamangalam, Namakkal.

1 cc to Mr.C.Kulanthaivel ,Advocate, SR.No.12365
1 cc to Mr. P.R.Dhilip Kumar,Advocate, SR.No.12282

W.P.No.10491 of 2013

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pmk.21.3.2015