

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27427 of 2015 &
M.P.No.1 of 2015

K.Kaviarasu

... Petitioner

Vs.

1. The District Collector
Krishnagiri,
Krishnagiri District.

2. The Revenue Divisional Officer
Krishnagiri,
Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the second respondent in Roc.4897 / 2014 (A) dated 17.12.2014 and quash the same and direct the respondent to reinstate the petitioner in service with all attendant benefits.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.V.Subbiah,
Special Government Pleader

सत्यमेव जयते
O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner, while working as Village Administrative Officer of Halekundani Village, Krishnagiri Taluk, was placed under suspension by the second respondent vide order dated 17.12.2014 stating that enquiry into grave allegation against him is contemplated. The petitioner subsequently, submitted a representation dated 14.07.2015 to the first respondent stating

that he is under suspension from 18.12.2014 and subsequently he and his family are suffering and therefore, requested for revoking the suspension order and since no orders have been passed, came forward to file this writ petition.

3. Mr.Mr.P.Rajendran, learned counsel appearing for the petitioner invited the attention of this court to the judgment of the Hon'ble Supreme Court reported in 2015(3) CTC 119 (Ajay Kumar Choudhary v. Union of India and others) and submit that it is obligatory on the part of the second respondent to revoke the order of suspension after three months.

4. Per contra, Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of respondents, would submit that initially grave charges are levelled against the petitioner and hence, the petitioner has been placed under suspension in public interest.

5. This court carefully considered the rival submissions made by the learned counsel on either side and also perused the materials placed on record.

6. Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the petitioner to submit one more representation to the respondents within a period of two weeks from the date of receipt of a copy of this order by enclosing copy of this order as well as the above said judgment of the Hon'ble Supreme Court reported in 2015(3) CTC 119 and on receipt of the same, the second respondent is directed to consider the same on merits and in accordance with law, within a period of six weeks thereafter and communicate the decision taken, to the petitioner. The second respondent is also directed to expedite the departmental action against the petitioner.

This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Rj

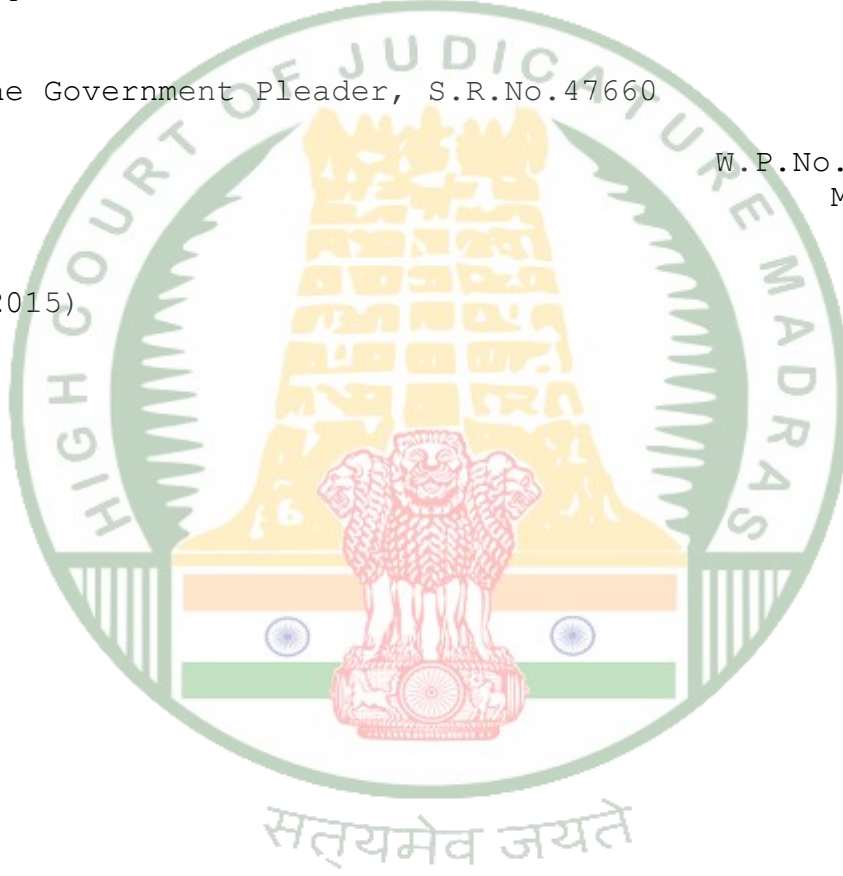
To

1. The District Collector
Krishnagiri,
Krishnagiri District.
2. The Revenue Divisional Officer
Krishnagiri,
Krishnagiri District.

+1cc to the Government Pleader, S.R.No.47660

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VD(CO)
CA(18/09/2015)



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