

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36524 of 2015

M.Gopinath

...Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
Commercial Taxes and Registration Department,
Secretariat Building,
Chennai 600 009.

2.The Inspector General of Registration,
Chennai 600 028.

...Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the second respondent herein to dispose of the petitioner's representation dated 15.10.2015 with reference to the covered judgment in W.P.No.21014 of 2013 dated 08.04.2014 within the stipulated period fixed by this Hon'ble Court.

For Petitioner : Mr.G.Thangavel

For Respondents : Mr.S.Gunasekaran
Govt. Advocate

ORDER

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

2. The case of the petitioner is that he was appointed as Junior Assistant on 07.10.1992 and joined at District Registrar Office, Karaikudi and thereafter, he was transferred to Sub-Registrar Office, Thirupathur on 21.05.1993 and worked there upto 19.06.1996. On 31.12.1996, he was promoted as Assistant and posted at Joint-II, Sub-Registrar Office, Arakkonam. On 09.01.2012, again he was promoted as Sub-Registrar Grade II and posted as Joint-I Sub Registrar, Karaikudi.

3. While he was working at Avadi Sub-Registrar Office as Joint Sub-Registrar, he was arrested in respect of a vigilance case on 06.01.2014 and remanded to judicial custody and thereafter, he was placed under suspension. The police has laid a charge sheet in the vigilance case.

4. The learned counsel for the petitioner submitted that earlier, similarly placed person like that of the petitioner moved this Court by filing a writ petition in W.P.No.21014 of 2014 and this Court by order dated 08.04.2014 observed that the respondents cannot keep the petitioner in prolong suspension and directed the petitioner to submit a detailed representation to the second respondent therein for revocation of suspension order and the second respondent also directed to consider the same and reinstate the petitioner in any non-sensitive post at a far away place as observed in W.P.No.29195 of 2015 etc., batch dated 02.07.2012. As per the said order, the petitioner made a representation to the second respondent on 15.10.2015 to revoke the suspension, which was not considered by him and hence, the present writ petition.

5. Heard the submission of Mr.G.Thangavel, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing for the respondents.

6. In the light of the order passed in W.P.No.21014 of 2014, dated 08.04.2014, this Court directs the second respondent to consider the petitioner's representation dated ***15-10-2015** and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken by him, to the petitioner.

7. This writ petition is disposed of accordingly. No costs

Sd/-
Assistant Registrar(CO)
Dated: 07/12/2015

*Corrected as per order
of this Court dated
4/12/2015 made in
WP.36524/2015

Sd/-
Assistant Registrar(CO)
Dated:23/12/2015

//True Copy//

Sub Assistant Registrar

cla

To

1.The Secretary to
Government of Tamil Nadu,
Commercial Taxes and
Registration Department,
Secretariat Building,
Chennai 600 009.

To be Substituted the Order
already despatched on
9/12/2015

2.The Inspector
General of Registration,
Chennai 600 028.

1 CC to Mr.G.Thangavel, Advocate SR.No. 62248

1 CC to the Government Pleader, SR.No. 62289

W.P.No.36524 of 2015

NM (CO)
PSI (07.12.2015)
ala[co]
srg 28/12/2015