

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.38922 of 2015

Palaniyandi

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Petitioner

Vs.

1.The Commissioner of
Municipal Administration,
Chepauk,
Chennai 600 005.

2.The Regional Director of
Municipal Administration,
Thanjavur,
Thanjavur District.

3.The Commission,
Perambalur Municipality,
Perambalur District.

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Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondent to consider petitioner's representation dated 20.11.2015 and thereby direct the first respondent to revoke the order of suspension passed by him in Roc.No.17136/2013/C1, dated 06.11.2013.

For Petitioner : Mr.P.Ganapathi Subramaniyan

For Respondents : Mr.N.Srinivasan
1 and 2 Additional Govt. Pleader

For 3rd : Mr.P.Chinnadurai,
Respondent Govt. Advocate

ORDER

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

2. The writ petition is filed for issuance of Writ of Mandamus to direct the first respondent to consider petitioner's representation dated 20.11.2015 and thereby direct the first respondent to revoke the order of suspension dated 06.11.2013.

3. Mr.Ganapathy Subramaniyan, learned counsel for the petitioner submitted that the petitioner was arrested on 06.11.2013 for the alleged receipt of the bribe amount of Rs.10,000/- and he was placed under suspension on the same day and a Criminal case in Cr.No.1 of 2013 was registered against the petitioner. He further submitted that the petitioner's earlier request for revoking suspension was rejected by the third respondent on 17.12.2014.

4. The learned counsel for the petitioner further submitted that recently, the Hon'ble Supreme Court framed guidelines for extending the suspension order in the case of AJAY KUMAR CHOUDHARY Vs. UNION OF INDIA (UOI) AND OTHERS (2015 (3) CTC 119). Thereafter, the petitioner made a representation dated 20.11.2015 to revoke the suspension. Since it was not considered, the present writ petition has been filed.

5. Heard the submission of Mr.P.Ganapathi Subramaniyan, learned counsel appearing for the petitioner, Mr.N.Srinivasan, learned Additional Government Pleader appearing for respondents 1 and 2 and Mr.P.Chinnadurai, learned Government Advocate appearing for the third respondent.

6. This Court, considering the limited scope of prayer sought for by the petitioner, without going into the merits of the case, directs the third respondent to consider the petitioner's representation dated 20.11.2015 in the light of decision of the Hon'ble Supreme Court in the case of AJAY KUMAR CHOUDHARY Vs. UNION OF INDIA (UOI) AND OTHERS (2015 (3) CTC 119) 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, to the petitioner.

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

Sd/-

Assistant Registrar(CS-II)

True Copy

Sub Assistant Registrar

To

1.The Commissioner of
Municipal Administration,
Chepauk,
Chennai 600 005.

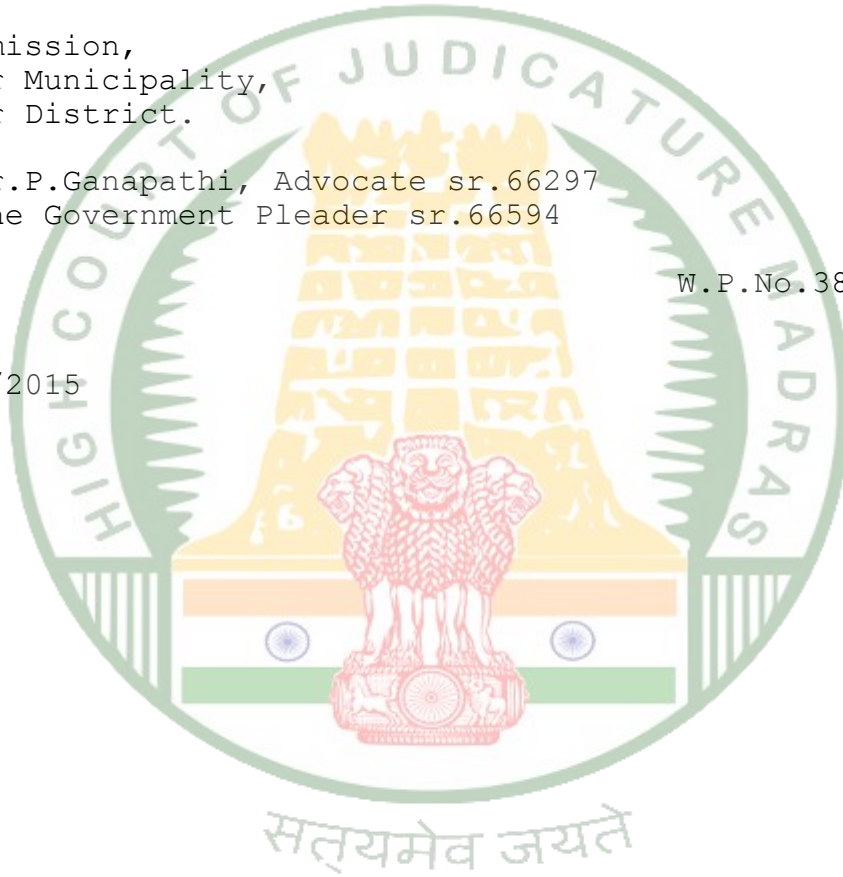
2.The Regional Director of
Municipal Administration,
Thanjavur,
Thanjavur District.

3.The Commission,
Perambalur Municipality,
Perambalur District.

+1cc to Mr.P.Ganapathi, Advocate sr.66297
+1cc to The Government Pleader sr.66594

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srg 21/12/2015



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