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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Appeal (MD) No.212 of 2015

1.The Agriculture Production Commissioner
and Principal Secretary to Government,
Agriculture Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner of Agriculture,
Chepauk, Channi - 600 005.

.. Appellants

Vs.

B.Meenakshi Sundaram
Assistant Director of Agriculture (QC)
Now Deputy Director of Seed Inspection
No.51, Pushpa Illam,
Periyar Nagar
T.V.Kovil Post, Trichy - 5.

... Respondent

Writ Appeal filed under Section 15 of Letters Patent Act against the order dated 19.12.2014 passed in WP(MD)No.17303 of 2014 by this Court.

Prayer in WP(MD). 17303 of 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records of the 1st Respondent by his Proceedings in G.O. No. 81 Agriculture AA7 Department dated 06.06.2011 and quash the same and direct the 1st Respondent to reinstate the petitioner and pay all benefit including promotions which he is legally entitled to and pass other order as this Honourable Court may deem fit.

For Appellant : Mr.a.K.Baskarapandian
Spl.Govt.Pleader

For Respondent : Mr.G.R.Swaminathan
for Mr.K.P.S.Palanivelrajan

JUDGMENT

(Judgment of the Court was delivered by **R. SUDHAKAR, J.**)

<https://hcservices.ecourts.gov.in/hcservices/>

This writ appeal is directed against the order dated 19.12.2014 passed in WP(MD)No.17303 of 2014.



2.The learned Single Judge has set aside the order of suspension on two grounds. The first ground is that, the criminal case registered against the respondent was quashed by this Court in Crl.O.P.No.1589 of 2014 and the second ground is that no departmental action was pending as on the date of the order passed by the learned Single Judge.

3.As against the order passed by this Court in Crl.O.P.No.1589 of 2014, the Department has filed a Special Leave Petition in Crl.M.P.No.23309 of 2014 on the file of the Hon'ble Supreme Court and the same is pending. With regard to departmental action is concerned, the learned Special Government Pleader submits that action has been initiated and proceedings have been issued. That is another matter at the present stage. Since, the two reasons assigned by the learned Single Judge, would clearly justify the revocation of suspension, we find no reason to interfere with the order of the learned Single Judge.

4.The writ appeal is dismissed. No costs. Connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (R)

/True Copy/

Sub Assistant Registrar

To

1.The Agriculture Production Commissioner
and Principal Secretary to Government,
Agriculture Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner of Agriculture,
Chepauk, Channi - 600 005.

+1cc to Mr.K.P.S.Palanivelrajan, Advocate Sr.No.53259

akm/29.09.2015 /2p-4c/

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