



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2015

CORAM :

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition (MD) No.168 of 2015

WEB COPY

G.Kannan

... Petitioner

Vs.

1.The Director of Employment and Training
Department, Guindy, Chennai.

2.The District Employment Officer,
Collectorate Complex,
Dindigul & District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned order passed by the 2nd respondent proceedings in A1/1587/2014 dated 04.04.2014 and dated 31.7.2014 and quash the same and consequently direct the 2nd respondent to revoke the order of suspension with all attendant and monetary and other benefits to the petitioner.

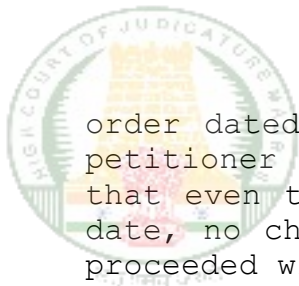
For Petitioner : Mr.V.Muthukamatchi
For Respondents : Mr.V.Pandi,
Government Advocate.

ORDER

Heard the learned counsel appearing for the petitioner and Mr.V.Pandi, learned Government Advocate who takes notice on behalf of the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage.

2.The petitioner is aggrieved against the order dated 04.04.2014 whereby he was placed under suspension as well as the order dated 31.07.2014 whereby his request for reinstatement in service was rejected.

3.The petitioner was working as Office Assistant at the second respondent office. He was placed under suspension on 04.04.2014 on the ground that a criminal case was registered against him in Crime No.34 of 2014, dated 03.04.2014. The petitioner made a representation on 12.05.2014 for revocation of the suspension order. When the said representation was not disposed of, he approached this Court by filing W.P.(MD)No.8247 of 2014 seeking for a direction for the disposal of the said representation. On 02.06.2014, this Court disposed of the said writ petition with liberty to the petitioner to make a fresh representation to the District Employment Officer, Dindigul and further direction to such Officer to consider the said representation and pass orders on the same, on merits and in accordance with law. Consequent upon such order, the petitioner preferred a representation on 12.06.2014 to the District Employment Officer, Dindigul. The said representation was rejected by an



order dated 31.07.2014. Thus, the order of suspension passed against the petitioner continues from 04.04.2014. The grievance of the petitioner is that even though he was placed under suspension on 04.04.2014, till this date, no charge memo has been issued to him and the respondents have not proceeded with the departmental enquiry.

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4. Considering the fact that the petitioner was placed under suspension in pursuant to his alleged involvement in the criminal case, this Court is not inclined to interfere with the impugned orders. However, as the petitioner is under suspension for the past more than 10 months, the respondents more particularly the second respondent is directed to complete the disciplinary proceedings and pass final orders on merits and in accordance with law, within a period of five months from the date of receipt of a copy of this order. Needless to mention that this Court is not expressing any view on the merits and the contentions raised by the petitioner as against the allegations made against him and therefore, it is for the second respondent to hold the enquiry and pass final orders on merits and in accordance with law.

5. With the above direction, the writ petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The Director of Employment and Training
Department, Guindy, Chennai.

2. The District Employment Officer,
Collectorate Complex,
Dindigul & District.

+1cc to MR.V.MUTHU KAMATCHI, ADVOCATE IN SR : 1492
+1CC TO THE SPECIAL GOVERNMENT PLEADER, IN SR : 981

Sms

SR : 14.02.2015 : 2p/5c

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