



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2015

Coram

THE HONOURABLE MR. JUSTICE T. RAJA

W.P. (MD) No. 16967 of 2015

and

M.P. (MD) No. 1 of 2015

Sankar

: Petitioner

vs.

The Executive Officer,
Ilayangudi Town Panchayat
Ilayangudi,
Sivagangai District.

: Respondent

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Certiorarified Mandamus, calling for the records relating to the order in Na.Ka.No.36/2015, dated 23.01.2015 on the file of the respondent and to quash the same and consequently direct the respondent to reinstate the petitioner in service with all consequential benefits.

For Petitioner

: Mr. V. Kannan

For Respondents

: Mr. G. Muthukannan

O R D E R

This Writ Petition has been filed by Sankar, challenging the impugned order of suspension, dated 23.01.2015 passed against him, on the basis of the Rule position that if the Government Servant suffers registration of the criminal complaint, he should be placed under suspension.

2. It appears that the petitioner, who was working as sweeper in the respondent Town Panchayat, has involved in a charge of misappropriation of a sum of Rs.12,00,000/- from the Bank by impersonation with the help of two other persons. The Assistant Manger of the Indian Overseas Bank at Ilayangudi branch has lodged a complaint before the Inspector of Police, District Crime Branch, Sivagangai. The said Inspector of Police, District Crime Branch, Sivagangai has also registered a case in Crime No.3 of 2015, on 21.01.2015, for the alleged offences under Sections 406, 409, 416,



420 and 120(b) of IPC., implicating the petitioner, as 3rd accused. Only thereafter he has been placed under suspension.

3. When the Rule is very clear that a Government servant, who suffers registration of the criminal case has to be placed under suspension and accordingly he was placed under suspension. In that view of the matter, this Court is not inclined to interfere with the impugned order. Therefore, writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub Assistant Registrar.

To

The Executive Officer,
Ilayangudi Town Panchayat
Ilayangudi,
Sivagangai District.

MPK

RL/2c/KBM/17/11/2015

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