



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2015

CORAM :

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition (MD) No.2423 of 2015

V.Mariappan

...Petitioner

Vs.

1.The Director,
Family Welfare Department,
DMS Campus, Thenampettai,
Chennai-6.

2.The Deputy Director,
Medical and Rural Health Service and
Family Welfare
Tiruchirappalli

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to revoke the suspension order dated 30.04.2013 in R.C NO. 94/2013/E by considering the petitioner's representation dated 27.01.2015.

For Petitioner	: Mr.T.Antony Arul Raj
For Respondents	: Mr.K.P.Krishnadoss, Government Advocate.

ORDER

Heard the learned counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Government Advocate who takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage.

2.The petitioner seeks for a Mandamus directing the respondents to revoke the suspension order dated 30.04.2013 by considering his representation dated 27.01.2015.

3.It appears that the petitioner who was working as a Driver in Medical and Rural Health Services and Family Welfare Department was placed under suspension on 30.04.2013 pursuant to an accident that took place on 23.01.2013.

4.The grievance of the petitioner is that even though such suspension order was made as early as on 30.04.2013 and a charge memo was issued on 30.05.2013 for which the petitioner has also given an explanation on 19.06.2013 and thereafter, the said charge memo was also cancelled by issuing a fresh charge memo on 09.04.2.2014, till this date, no further proceedings are initiated. Therefore, he made the above representation seeking for revocation of suspension.

5.Whether the suspension order issued against the petitioner could be revoked or not is for the second respondent to consider and
<https://hcservices.courtsofmadras.gov.in/hcservices/> on merits and therefore, this Court is not expressing any view as of now.



6. Accordingly, this writ petition is disposed of with the direction to the second respondent to consider the representation of the petitioner dated 27.01.2015 and pass appropriate orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

1.The Director,
Family Welfare Department,
DMS Campus,
Thenampettai,
Chennai-6.

2.The Deputy Director,
Medical and Rural Health Service and
Family Welfare
Tiruchirappalli

+1CC to M/s.T.Antony Arulraj, Advocate in SR.9115

+1CC to the Special Government Pleader in SR.9506

Writ Petition (MD) No.2423 of 2015
25.02.2015

sms

PBK 11/03/2015 ::2P-5C: