



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.2826 of 2015

and

MP. (MD) .Nos. 1 & 2 of 2015

T.Alagusundaram

... Petitioner

Vs.

The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District,
Madurai.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned suspension order in C.No.B1/11225/2014, D.O.652/2014 dated 05.03.2014 on the file of the respondent and quash the same as illegal and consequently direct the respondent to reinstate the petitioner with consequential benefits.

For Petitioner :Mr.S.Louis
for M/s.T.Lajapathi Roy

For Respondents :Mr.S.Kumar,
Addl. Govt. Pleader.

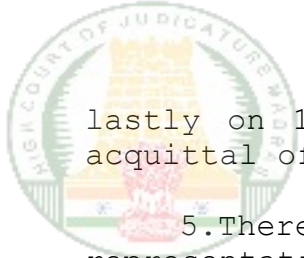
ORDER

Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondent and by consent of both the parties, the main writ petition itself is taken up for final disposal at the stage of admission.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. The petitioner is seeking for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned suspension order in C.No.B1/11225/2014, D.O.652/2014 dated 05.03.2014 on the file of the respondent and quash the same as illegal and consequently direct the respondent to reinstate the petitioner with consequential benefits.

4. The petitioner is aggrieved against the order of suspension dated 05.03.2014. He was placed under suspension on the reason that a criminal case was filed against him and consequently he was arrested on 04.03.2014 and remanded to Judicial Custody. It is stated that the said criminal case ended an acquittal by the judgment passed in C.C.No.493 of 2014 dated 01.08.2014. Therefore the petitioner contends that the continuation of suspension cannot be justified. It is seen that the petitioner has already made a representations on 07.08.2014, 18.11.2014, 02.12.2014 and



lastly on 16.02.2015 seeking for revocation of suspension based on the acquittal of the petitioner by the criminal court.

5. Therefore, it is for the respondent to consider those representations and pass orders on the same on merits. Accordingly, this Writ Petition is disposed of without expressing any view on the claim made by the petitioner, only with a direction to the respondent to consider those representations and pass appropriate 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. No costs. Consequently connected Miscellaneous Petitions are also closed.

Sd/-
Assistant Registrar (Per Admn)

/True copy/

Sub Assistant Registrar

TO

The Superintendent of Police,
O/o. The Superintendent of Police,
Madurai District, Madurai.

+1cc to MR.T.LAJAPATHI ROY, ADVOCATE IN SR : 10185
+1CC TO THE SPECIAL GOVERNMENT PLEADER, IN SR : 10239

PJL
SM : 11.03.2015 : 2P/4C

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03.03.2015