

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01-06-2016

Coram :

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Writ Petition No. 17602 of 2016

K. Sadhasivam

.. Petitioner

Versus

1. The Additional Chief Secretary cum
Commissioner of Revenue Administration
Revenue Department
Chepauk, Chennai - 600 005

2. The District Collector
Collectorate
Namakkal District
Namakkal

3. The District Revenue Officer
Collectorate
Namakkal District
Namakkal

4. The Sub-Collector
Namakkal District
Namakkal

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for a Writ of Mandamus directing the fourth respondent to consider the petitioner's representation dated 10.03.2016 and reminder representation dated 22.04.2016 in the light of the Government Letter No.13519/N/2015 dated 23.07.2015

For Petitioner : Mr. A. Rajakumar
For Respondents : Mr. A. Kannan
Special Government Pleader

ORDER

The petitioner seeks for issuing a Writ of Mandamus directing the fourth respondent to consider his representation dated 10.03.2016 and the reminder representation dated 22.04.2016 in the light of the Government Letter No.13519/N/2015 dated 23.07.2015.

2. The petitioner was appointed as Village Administrative Officer on 11.08.1982. During the course of his service, on 28.06.2013, he was suspended from service on the basis of a complaint given by one C. Kadirvelu complaining that the

petitioner demanded illegal gratification of Rs.3,500/- from him for discharge of his official duties. According to the petitioner, the order of suspension has not been reviewed for a long time besides that the respondents also did not issue any charge memo so far. According to the petitioner, as per the Government letter dated 23.07.2015 the currency of suspension should not extend beyond three months if the charge memorandum or charge sheet is not served on the delinquent employee. According to the petitioner, in violation of the above said Government Letter, he is placed under prolonged suspension without being reviewed. The petitioner also submitted a representation dated 10.03.2016 and 22.04.2016 to the respondents to review his suspension, but no order has been passed thereof.

3. The learned counsel for the petitioner would contend that the prolonged suspension of the petitioner, without being reviewed, is contrary to the Government letter dated 23.07.2015. The learned counsel for the petitioner also submitted that the petitioner is due to retire shortly on attaining the age of superannuation. Therefore, the learned counsel for the petitioner prayed this Court to issue appropriate direction to the fourth respondent to consider the representation dated 22.04.2016 and to pass orders thereof, at the earliest.

4. On the above contention of the learned counsel for the petitioner, this Court heard the learned Additional Government Pleader appearing for the respondents.

5. Having regard to the above submission of the counsel for the petitioner, without expressing any opinion on merits, the fourth respondent is directed to consider the representation dated 22.04.2016 of the petitioner after affording him an opportunity of hearing and pass orders thereof on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of with the above direction. No costs.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rsh

To

1. The Additional Chief Secretary cum
Commissioner of Revenue Administration
Revenue Department
Chepauk, Chennai - 600 005
2. The District Collector
Collectorate
Namakkal District
Namakkal
3. The District Revenue Officer
Collectorate
Namakkal District
Namakkal
4. The Sub-Collector
Namakkal District
Namakkal

+1cc to Mr.A. Rajakumar, Advocate, S.R.No.29120
+1cc to the Government Pleader, S.R.No.29225

NR(CO)
EU(16/06/2016)

WP No. 17602 of 2016

सत्यमेव जयते

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