

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.05.2016

C O R A M

THE HON'BLE Mr.JUSTICE M.V.MURALIDARAN

WP.No.17717/2016 & WMP.Nos.15415 & 15416/2016

A.Manivannan

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Petitioner

Versus

1 The District Collector
Kanchipuram District
Kanchipuram.

2 The District Revenue Officer
Kanchipuram, Kanchipuram 631501. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of certiorarified mandamus calling for the records of the 2nd respondent in Letter RC.No.A.2/12312/2014 dated 23.05.2015 and quash the same and direct the respondents to reinstate the petitioner with all other attendant benefits.

For petitioner Mr.R.Chithiraputhiran

For Respondents Mrs.P.Kavitha, GA

ORDER

Heard the learned counsel for the petitioner ; and Mrs.P.Kavitha, learned Government Advocate appearing for the respondents and with their consent, the writ petition is taken up for final disposal.

2 The petitioner has filed the above writ petition seeking for the quashment of the impugned suspension order passed by the 2nd respondent dated 23.05.2015, with a further prayer to direct the respondents to reinstate him in the service.

3 The case of the petitioner is that he joined the service as Junior Assistant in the Revenue Department, Kanchipuram in the year 1996. While he was serving as the Revenue Inspector, Kelambakkam Firka, Tiruporur, he was served with an order of suspension on 23.05.2015, which is impugned herein, on the ground of the demand of illegal gratification of

Rs.2000/- by the petitioner from one Kannan [complainant] for renewal of the license for running the School of the complainant. It is further averred that in pursuance of the said complaint, the petitioner was arrested by the Vigilance and Anti Corruption Department and thus, he was placed under suspension by the order impugned dated 23.05.2015. The representation dated 12.03.2015 sent by the petitioner to the 2nd respondent seeking reinstatement without prejudice to the criminal and departmental proceedings, also did not evoke any response. Hence, the petitioner is before this Court with the present writ petition.

4 The learned counsel for the petitioner, in support of his contention, drawn the attention of this Court to the decision of this Court made in WP.No.13908/2016 [S.Aruchamy Vs. The Principal Secretary to Government, Rural Department and Panchayat Raj [E2] Department, Secretariat, Chennai 600 009], wherein the judgment of the Hon'ble Apex Court in Ajay Kumar Choudhary Vs. Union of India and another reported in 2015 [2] Scale page 432 and the letter issued by the Principal Secretary to Government, in Letter No.13519/N/2015-1 dated 23.07.2015 were relied upon.

5 In view of the above facts and circumstances, this Court directs the 2nd respondent to consider the petitioner's representation dated 12.03.2015 on merits and in accordance with law and pass orders on or before 30.05.2016, after taking note of the order passed by this Court in WP.No.13908/2016 as well as the Judgment of the Apex Court in Ajay Kumar Choudhar's case and the Letter issued by the Principal Secretary in Letter No.13519/N/2015-1 dated 23.07.2015.

6 The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

सत्यमेव जयते
Sd/-

Assistant Registrar(VO)

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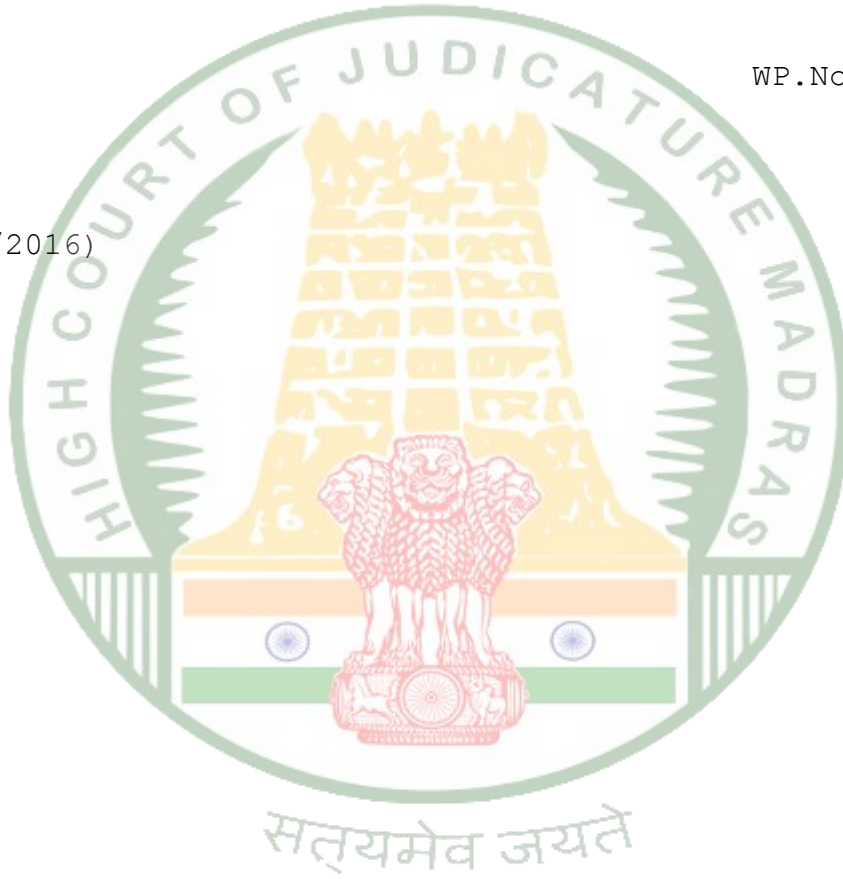
Sub Assistant Registrar

To

- 1 The District Collector,
Kanchipuram District,
Kanchipuram.
- 2 The District Revenue Officer,
Kanchipuram, Kanchipuram 631501.

WP.No.17717/2016

MP 1 (CO)
srg (27/05/2016)



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