

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.35266 of 2015
and
M.P.No.1 of 2015

Sundaramouli ... Petitioner

Vs.

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The District Educational Officer,
Villupuram District,
Villupuram.
- 3.The District Revenue Officer,
Bhavanisagar,
Erode District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the entire records in pursuant to the charge-memo issued to the petitioner by the 2nd respondent vide Na.Ka.No.3112/A1/2015, dated 15.10.2015 and to quash the same.

For Petitioner : Mr.S.Sujatha
For respondents : Mr.K.Dhnanjayan, Spl GP

ORDER

This writ petition has been filed by the petitioner, praying for issuance of a Writ of Certiorari, to call for the entire records pertaining to the charge-memo issued by the 2nd respondent vide Na.Ka.No.3112/A1/2015, dated 15.10.2015 and to quash the same.

2.It is stated by the petitioner that he was appointed as Junior Assistant by the 2nd respondent vide proceedings in Na.Ka.No.8159/A1/2007, dated 16.08.2010. Subsequently, he was confirmed in the said post with retrospective effect from

18.10.2010 vide proceedings of the 2nd respondent in Mu.Mu.No.3509/A1/2011, dated 20.05.2013. While so, the petitioner was deputed to a basic training course in Government Official Training Institute situated at Bhavani Sagar to undergo basic training from 12.05.2015 to 23.06.2015 and a certificate to that effect was also issued by the 3rd respondent. While so, the 2nd respondent by proceedings in Na.Ka.No.312/A1/2015, dated 17.11.2015, placed the petitioner under suspension from service, making six allegations against the petitioner. Subsequently, the petitioner was issued with the impugned charge-memo dated 15.10.2015 by the 2nd respondent, containing a single allegation. According to the petitioner, the petitioner was placed under suspension on the basis of the false allegations. Hence, he has come forward with the present writ petition seeking to quash the impugned charge-memo, dated 15.10.2015.

3.Though the writ petition is filed for a larger relief, when the matter is taken up for consideration, the learned counsel for the petitioner submitted that the petitioner is prepared to give a fresh representation to the 1st respondent and if a direction is given to the 1st respondent to consider the petitioner's representation, it would suffice.

4.Heard the learned Special Government Pleader appearing for the respondents also and perused the materials available on record.

5.In view of the limited scope of the prayer sought for by the learned counsel for the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, this Court directs the petitioner to give a fresh representation to the 1st respondent, along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the 1st respondent is directed to consider the same and to pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssv

To

1.The District Collector,
Villupuram District,
Villupuram.

2.The District Educational Officer,
Villupuram District,
Villupuram.

3.The District Revenue Officer,
Bhavanisagar,
Erode District.

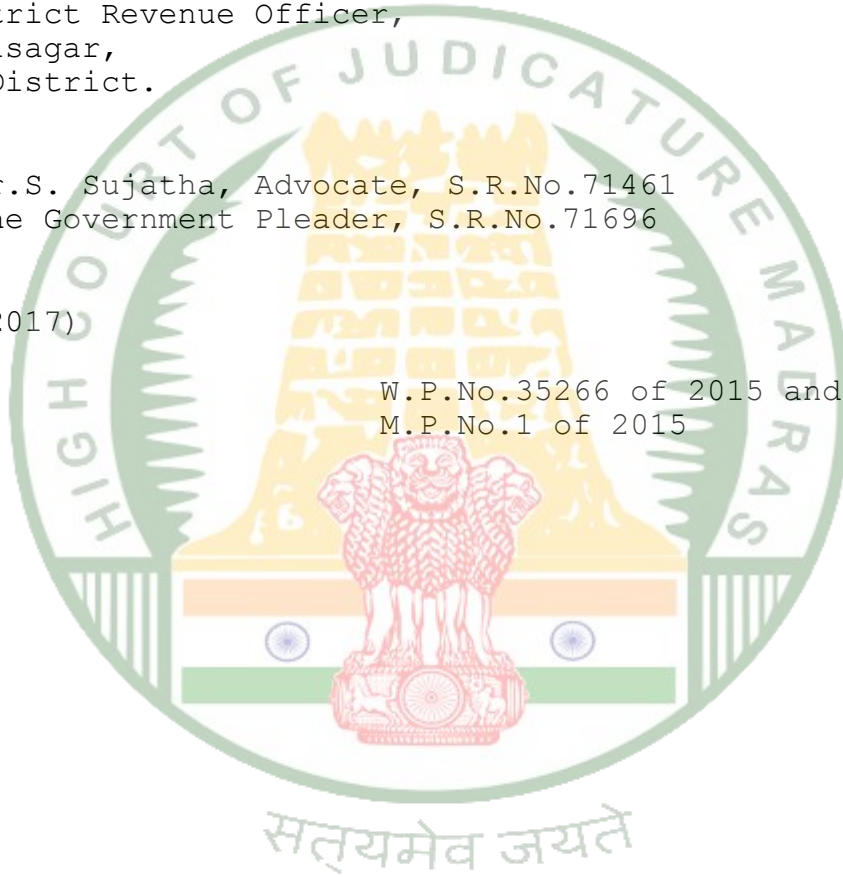
+lcc to Mr.S. Sujatha, Advocate, S.R.No.71461

+lcc to the Government Pleader, S.R.No.71696

svi(CO)

md(05/01/2017)

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