

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.01.2016
CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.41084 of 2015

& MP.Nos.1 & 2 of 2015

A.Gunasekaran

... Petitioner

Vs.

1. The TANGEDCO (Tamil Nadu Generation and Distribution Corporation),
Rep. by its Chairman cum Managing Director,
Chennai-600 002.
2. The Superintending Engineer,
CEDC/South/TANGEDCO,
K.K.Nagar,
Chennai-600 078.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the second respondent pertaining the order dated 23.11.2013 in Memo No.P.R.No.899/Adm.1/A4/F.DVAC-SUS/2013 and quash the same.

For Petitioner

: Mr.R.Srinivas

For Respondents

: Ms.R.Varalakshmi

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The case of the petitioner is that he joined the service of the first respondent on 21.10.1992. While he was working as Assistant Engineer at Perungundi, he was arrested on 22.11.2013 on the basis of the criminal complaint. Subsequently, he was placed under suspension by the order of the second respondent dated 23.11.2013.

3. Mr.R.Srinivas, learned counsel appearing for the petitioner submitted that the criminal case was registered on 22.11.2013 but so far, the police has not filed the charge sheet and the suspension of the petitioner was not reviewed by the Committee, as per the decision of the Hon'ble Supreme Court made in the case of Ajay Kumar Chowdary Vs. Union of India reported in 2015 (3) SLR 414 (SC). It is further submitted that aggrieved by the prolonged suspension, the petitioner gave a representation on 10.12.2014, to revoke the suspension order. Since no order has been passed, the present writ petition is filed.

4. The learned counsel further submitted that though the petitioner has prayed to quash the suspension order, it would be suffice to issue a direction to the respondent to consider the representation of the petitioner dated 10.12.2014.

5. Heard Mr.R.Srinivas, learned counsel appearing for the petitioner and Ms.R.Varalakshmi, learned counsel, who takes notice on behalf of the respondents.

6. This Court, considering the submission of the learned counsel for the petitioner and without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 10.12.2014, in the light of the judgement of the Hon'ble Supreme Court cited above and pass 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 and communicate the decision taken, to the petitioner.

7. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

dn/sms

Sd/-

Assistant Registrar (Judicial)

/True Copy/

Sub Assistant Registrar

To

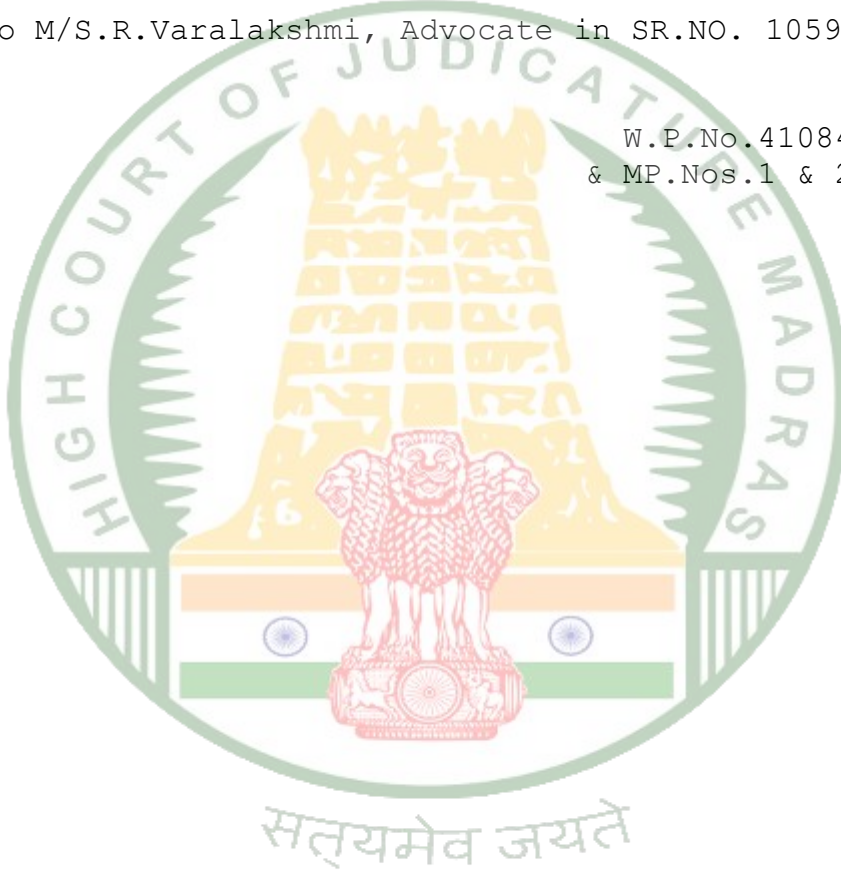
1. The Chairman cum Managing Director,
TANGEDCO (Tamil Nadu Generation and
Distribution Corporation),
Chennai-600 002.
2. The Superintending Engineer,
CEDC/South/TANGEDCO,
K.K.Nagar,
Chennai-600 078.

+1 One CC to M/S.R.Varalakshmi, Advocate in SR.NO. 1059/16

W.P.No.41084 of 2015
& MP.Nos.1 & 2 of 2015

CO-AK

MLT 28/01/2016



WEB COPY