

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 20.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.24329 of 2016

G.Manimegalai

... Petitioner

-vs-

The District Collector,
Collectorate, Dharmapuri,
Dharmapuri District.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent to revoke the order of suspension and reinstate the petitioner by considering the petitioner's representation dated 23.08.2015 and pass orders on merits within a stipulated period as fixed by this Court in terms of Circular Letter No.13519/N/2015-1 dated 23.07.2015 issued by the Principal Secretary, Personnel and Administrative Reforms (N) Department, Chennai.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.C.Jagadish
Special Government Pleader

O R D E R

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to revoke the order of suspension and reinstate her by considering her representation dated 23.08.2015 and pass orders, on merits within a stipulated period as fixed by this Court in terms of Circular Letter No.13519/N/2015-1 dated 23.07.2015 issued by the Principal Secretary, Personnel and Administrative Reforms (N) Department, Chennai.

2.It is the case of the petitioner that she was working as a Special Tahsildar in the Former Security Scheme at Pennagaram Taluk. Based on the complaint lodged by one Rani alleging that the petitioner has received bribe, a case was registered against her by the Vigilance and Anti Corruption Department, Dharmapuri in Crime No.7/AC/2013 for offences under Section 7 of the Prevention of Corruption Act, 1988 and she was

arrested and remanded to judicial custody on 19.11.2013 and thereafter, released on bail. Now, Charge Sheet has been filed before the Chief Judicial Magistrate, Dharmapuri, the same was taken on file in Spl.C.C.No.1 of 2015 and the same is pending for commencing the trial. According to the petitioner, she was placed under suspension for more than three months and hence, she made several representations to the respondent and finally, on 23.08.2015 to the respondent to consider the same and revoke the impugned suspension order. Since the same was not considered so far, left with no other alternative, the petitioner has come up with the present writ petition.

3.I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

4.Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the petitioner to submit a fresh representation to the respondent, within a period of two weeks from the date of receipt of a copy of this order, and on receipt of the same, the respondent is directed to consider the same, and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter. It is made clear that this Court has not expressed any opinion with regard to the claim projected by the petitioner and it is for the respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrarsri

To

The District Collector,
Collectorate, Dharmapuri,
Dharmapuri District.

+1cc to Mr.R.Ezhilarasan, Advocate Sr.53164
+1cc to the Government pleader sr.53519

W.P.No.24329 of 2016

pvs[co]
srg 22/10/2016