

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.2893 of 2016

P.Krishnan

..

Petitioner

Vs

1 The Director of Employment
Exchange, Guindy, Chennai-32.

2 The Regional Joint Director
Employment,
Coimbatore-641 029.

..

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the first respondent herein to consider the claim of the petitioner for revocation of suspension ordered by the second respondent with retrospective effect from 27.06.2014 FN in and by his proceedings No.A4/3071/2014 dated 30.06.2014, in the light of the Ratio laid down by the Honourable Supreme Court in the Judgment dated 16.02.2015 in Ajaykumar Choudhary Vs.Union of India through its Secretary and Anr. Report 2015 (7) SCC 291 and the consequential Government Letter No.13519/N/2015-1 dated 23.07.2015 as referred to in the petitioners representations dated 11.11.2015 and 13.01.2016 and pass appropriate orders thereon.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.V.Jayaprakash Narayanan
Special Govt. Pleader

ORDER

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

2. The petitioner would state that he was initially appointed as Typist in Labour and Employment Department on 09.04.1984. Thereafter, he was promoted as Junior Employment Officer with effect from 02.02.2011. While he was working as

Junior Employment Officer at Erode, he was falsely implicated in a criminal case in Crime No.18 of 2014 for offences under Sections 120-B and 420 IPC. The petitioner was arrested on 27.06.2014 and released on bail on 29.08.2014. Due to the reason, he was placed under suspension on 30.06.2014. The petitioner made representations to the respondents dated 11.11.2015 and 13.01.2016 for revocation of suspension and reinstatement in service. Since it was not considered, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that recently the Hon'ble Supreme Court in the case of Ajaykumar Choudhary Vs. Union of India reported in 2015 (7) SCC 291, has framed guidelines for revocation of the suspension order and based on the above judgment, the government of Tamil Nadu has issued a letter No.13519/N/2015-1, dated 23.07.2015 for reviewing the order of suspension.

4. Heard the submissions of Mr.M.Ravi, learned counsel appearing for the petitioner, and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. 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 representations of the petitioner dated 11.11.2015 and 13.01.2016 in the light of the judgment of the Hon'ble Supreme Court in Ajaykumar Choudhary Vs. Union of India reported in 2015 (7) SCC 291 and the government letter No.13519/N/2015-1, dated 23.07.2015 and 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 and communicate the decision taken, to the petitioner.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sms

To

- 1 The Director of Employment
Exchange, Guindy, Chennai-32.
- 2 The Regional Joint Director
Employment,
Coimbatore-641 029.

+1 cc to M/s.M.Ravi, Advocate, sr.5207
+1 cc to Government Pleader, sr.5496

W.P.No.2893 of 2016

rsk co
kra 01.03.2016



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