

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.33529 of 2016

M.Easwari

... Petitioner

Vs.

Personal Assistant to Collector,
(Noon Meal) Incharge,
Dharmapuri
Dharmapuri District.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 09.08.2016 with regard to review the order of suspension bearing Na.Ka.No.9320/2016/XI dated 23.06.2016 in the light of the judgment reported in (2015) 3 CTC 119 SC within a stipulated time as fixed by this Hon'ble Court.

For Petitioner	: Mr.P.M.Jayachandran
For Respondent	: Mr.S.Gunasekaran
	Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 09.08.2016 with regard to review the order of suspension bearing Na.Ka.No.9320/ 2016/XI dated 23.06.2016 in the light of the judgment reported in (2015) 3 CTC 119 SC within a stipulated time as fixed by this Court.

3.The petitioner was appointed as a Cook in the year 2007 under the Noon Meal Scheme in the Government High School, Poppidi, Palacode Panchayat Union. While she was in service on 15.06.2016, she was arrested by the Inspector of Police, Marandahalli Police Station in connection with a case in Crime No.195 of 2016 for the offence punishable under Sections 294(b), 342, 324, 323 and 506(ii) of I.P.C. and subsequently, released on bail. Whiles, the respondent vide proceedings dated 23.06.2016, placed her under suspension with immediate effect on the ground that she was arrested in a criminal case.

4.The petitioner has also lodged a complaint against one Thimmaiyan, Munivel, Ambika and Valli as they have given false complaint against the petitioner with ulterior motive and a case has

been registered against the said persons in Crime No.194 of 2016 for the offence punishable under Sections 294(b), 323 and 506(i) of I.P.C. Hence, it is a case in counter and charge sheet has not yet been filed.

5.The petitioner submitted a representation dated 09.08.2016 to the respondent requesting to revoke the order of suspension or to review the same, but the same has not yet been considered. Hence, this petition.

6.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader who takes notice for the respondent.

7.Considering the submissions made on either side and without going into the merits of the claim made by the petitioner, this Court directs the respondent to consider the petitioner's representation dated 09.08.2016, on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

23.09.2016

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Index: Yes/ No Internet: Yes/ No

R.SUBBIAH,J.

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To

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(Noon Meal) Incharge,
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