

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.01.2016

CORAM

THE HONOURABLE Mr. JUSTICE K. KALYANASUNDARAM

W.P.No.3388 of 2016

M.Ragunathan

... Petitioner

Vs

The District Collector [Admn]
Assistance Inspector General
of Registration
Cadre [AIG Cadre]
Vellore-1.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 18.12.2015 with regard to review the order of suspension within a stipulated time as fixed by this Hon'ble Court.

For Petitioner: Mr.M.Ramdass

For Respondent: Mr.N.Srinivasan,
Additional Government Pleader

ORDER

By consent of the learned counsel on either side, this writ petition is taken up for final disposal.

2. Heard the submissions of Mr.M.Ramdass, learned counsel appearing for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader, who accepts notice on behalf of the respondent.

3. This present writ petition has been filed for issuance of writ of mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 18.12.2015.

4. It is the case of the petitioner that he was appointed as Record Clerk on 10.08.2007 in the Sub Registrar Office at Katpadi and subsequently, he was transferred to the Sub Registrar Officer, Thirupathur on 05.07.2012. He was placed under suspension by an order dated 29.09.2015 for involvement in a criminal case registered in Cr.No.301 of 2015

on the file of the Inspector of Police, K.V.Kuppam Police Station, Vellore District.

5. The petitioner would further state that he has been falsely implicated in the above said criminal case and he has not committed any offence. Therefore, he made a representation dated 18.12.2015 to review the order of suspension. Since no order was passed, this present writ petition has been filed.

6. Mr.M.Ramdass, learned counsel appearing for the petitioner would submit that the Hon'ble Supreme Court, in the recent judgment made in 2015[3] CTC 119 in the case of AJAY KUMAR CHOUDHARY Vs UNION OF INDIA had framed guidelines for reviewing the order of suspension. Based on the judgment, the Government of Tamil Nadu has also issued instructions vide letter No.13519/N/ 2015-1 dated 23.07.2015 and this petitioner's case can be considered, in light of the judgment of the Hon'ble Supreme Court and the letter of the Government.

7. In view of the above, the respondent is directed to consider the representation of the petitioner dated 18.12.2015 on merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, taking into consideration the judgment referred supra.

The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gya

The District Collector [Admn]
Assistance Inspector General
of Registration
Cadre [AIG Cadre]
Vellore-1.

+ 1 cc to Mr.M. Ramdass, Advocate SR.5466
+ 1 cc to the Government Pleader Sr.6234

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EV(CO)
Eu 1.03.16