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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.2800 of 2015

and

M.P.(MD)No.1 of 2016

P.Madasamy

... Petitioner

-vs-

1.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Ezhilagam, Kilpauk, Chennai - 600 005.

2.The District Collector,
Collectorate Complex,
Thoothukudi,
Thoothukudi District.

3.The District Revenue Officer,
Revenue Administration Disaster Management
and Mitigation Department,
Collectorate Complex,
Thoothukudi,
Thoothukudi District.

4.The Revenue Divisional Office,
Collectorate Office,
Thoothukudi,
Thoothukudi District.

... Respondents

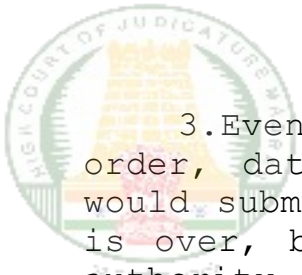
Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorari calling for the records of the third respondent herein in his proceedings in Roc.A5/40069/2013, dated 15.10.2013 and to quash the same.

For Petitioner : Mr.G.Chandrasekar
For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

O R D E R

This is a writ of mandamus seeking to quash the impugned order, dated 03.06.2016, by which, the petitioner has been placed under suspension.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.



3. Even though the order under challenge is the suspension order, dated 15.10.2013, the learned counsel for the petitioner would submit that charge memo has been issued and enquiry itself is over, but no final order has been passed by the disciplinary authority, on account of the pending criminal case.

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4. Under such circumstances, if the enquiry is over, the disciplinary authority need not wait for the result of the criminal case and final orders shall be passed within a period four weeks from the date of receipt of a copy of this order. If the enquiry is not completed and final order is not passed, the respondents are directed to revoke the order of suspension and place the petitioner in a non-significant post and to continue the enquiry. If any second show cause notice is issued by the disciplinary authority with regard to the proposed punishment, the petitioner shall give his reply without asking for any extension of time.

5. With the above directions and observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To:

1. The Additional Chief Secretary/
Commissioner of Revenue Administration,
Ezhilagam, Kilpauk, Chennai - 600 006.
 2. The District Collector, Collectorate Complex,
Thoothukudi, Thoothukudi District.
 3. The District Revenue Officer,
Revenue Administration Disaster Management
and Mitigation Department, Collectorate Complex,
Thoothukudi, Thoothukudi District.
 4. The Revenue Divisional Office, Collectorate Office, Thoothukudi,
Thoothukudi District.
- +1CC to the Special Government Pleader, SR.No. 62331

W.P(MD) No.2800 of 2015

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