



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2016

CORAM

THE HON'BLE Mr. JUSTICE R. SURESH KUMAR

W.P. (MD) No.24276 of 2016

K.Chinnappa

.... Petitioner

-vs-

1. The Chief Engineer,
TANGEDCO (TNEB Distribution)
Thennur, Trichy District.

2. The Superintending Engineer
TANGEDCO,
Trichy Electricity Distribution Circle (Metro)
Mannarpuram, Trichy
.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the respondents to revoke the suspension of the petitioner dated 13.05.2011 and permit the petitioner to discharge his duties as Assistant Engineer at the respondent office by considering the representation of the petitioner dated 17.08.2016 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh
For R1 to R3 : Mr.Balasubramanian

O R D E R

The prayer in the writ petition is for a writ of mandamus directing the respondents to revoke the suspension of the petitioner dated 13.05.2011 and permit the petitioner to discharge his duties as Assistant Engineer at the respondent office by considering the representation of the petitioner dated 17.08.2016 within a stipulated time that may be fixed by this Court.

2. Mr.Balsubramanian, learned standing counsel, accepts notice for the respondents. By consent of both sides, the main writ petition is taken up for final disposal at the admission stage itself.

3. Though the writ petition has been filed with the aforesaid prayer, the learned counsel for the petitioner would contend that if the prayer of the writ petitioner to consider the representation of the petitioner dated 17.08.2016 is directed to be taken up by the respondents, the petitioner would be satisfied.



4. According to the learned counsel for the petitioner, the petitioner was suspended long back, ie, on 13.05.2011 pursuant to a criminal case, which was pending at that time. Subsequently, the said criminal case has been ended in acquittal on 18.05.2016. In spite of the petitioner, in the criminal case, having been acquitted, the petitioner's suspension has not been revoked so far. It is also submitted by the learned counsel for the petitioner that there is no separate departmental proceedings initiated against the petitioner. In view of the said facts, there can be no further impediment for the respondents to consider the request of the petitioner for revocation of suspension.

5. The learned standing counsel for the respondents has also been heard.

6. In view of the very limited prayer sought for by the petitioner, as has been now submitted by the learned counsel for the petitioner, this writ petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner dated 17.08.2016 and decide the same and pass orders by taking into account the order of acquittal dated 18.05.2016 and pass orders for revocation of suspension, as the suspension of the petitioner may not be required any more, in view of the criminal proceedings, which has ended in acquittal and such order shall be passed within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Engineer,
TANGEDCO (TNEB Distribution)
Thenur, Trichy District.
2. The Superintending Engineer
TANGEDCO,
Trichy Electricity Distribution Circle (Metro)
Mannarpuram, Trichy

+1cc to Mr.S.C.Herold Singh, Advocate in SR No.81702

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