



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.5408 of 2016

M.Murugan

... Petitioner

Vs.

1.The District Collector,  
Theni District,  
Theni.

2.The Revenue Divisional Officer,  
Periyakulam Revenue Division,  
Periyakulam, Theni District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to reinstate the Petitioner into service by revoking the order of suspension dated 16.11.2012 based on his representations dated 22.02.2016 24.02.2016 and 09.03.2016 taking into consideration and account the order of acquittal rendered by the Special Court for Prevention of Corruption Act Cases (Chief Judicial Magistrate)Theni in Special Case No.10 of 2014 dated 29.01.2016.

|                 |                                         |
|-----------------|-----------------------------------------|
| For Petitioner  | : Mr.Ananthapadmanabhan                 |
| For Respondents | : Mr.M.Murugan,<br>Government Advocate. |

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus, to direct the respondents to reinstate the petitioner into service by revoking the order of suspension dated 16.11.2012 taking into account the order of acquittal rendered by the Special Court for Prevention of Corruption Act Cases (Chief Judicial Magistrate) Theni in Special Case No.10 of 2014 dated 29.01.2016.

<https://hcservices.ecourts.gov.in/Hcservices/> the learned counsel appearing for the petitioner.

Mr.M.Murugan, learned Government Advocate takes notice for the



respondents.

3. According to the petitioner, he is working as Village Administrative Officer who was suspended on 16.11.2012 based on a case registered under the Prevention of Corruption Act. In the said case, he was acquitted on 29.01.2016. After being acquitted from the charges, he had given several representations to the respondents to revoke the suspension which are still pending. It is further submitted that the petitioner is due to retire in the end of May 2016.

4. Considering the above stated facts and circumstances and without expressing any view on the claim made by the petitioner, the writ petition is disposed of, directing the second respondent to consider the representation of the petitioner dated 09.03.2016 and pass orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/  
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

To

1. The District Collector,  
Theni District,  
Theni.

2. The Revenue Divisional Officer,  
Periyakulam Revenue Division,  
Periyakulam, Theni District.

+1CC to M/S.N. Ananthapadmanaban, Advocate, SR.No. 19237  
+1CC to the Special Government Pleader, SR.No. 18910.

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AM/SK.SKN/SAR-I/12.04.2016/2P/5C