

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12039 of 2016 and
W.M.P.Nos.10407 & 10408 of 2016

R.Karunakaran,

... Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

2. The Superintendent Engineer,
Corporation of Chennai,
Mechanical Engineering Department,
Rippon Buildings,
Chennai - 600 003.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus to call for the records relating the impugned order dated 13.07.2015 in e.Po.thu.Na.Ka.No.M7/1729/2015 and charge memo dated 02.08.2015 in e.Po.thu.Na.Ka.No.M7/1729/2015 issued by the second Respondent and quash the same, consequently direct the first respondent to re-instated the petitioner in service with all service benefits.

For Petitioner : Mr.J.William Shakesphere
For Respondents : Mr.G.Anantharangan

ORDER

The order of suspension dated 13.07.2015, is under challenge in this writ petition.

2.The writ petitioner is working as Labourer in the Printing Press. On account of certain allegations, a criminal case was registered against the writ petitioner and accordingly, he was placed under suspension. The order of suspension states that the writ petitioner was arrested by the Inspector of Police and

kept in judicial custody and the criminal case is still pending. However, the writ petitioner is under suspension for more than two years and in respect of the revocation of suspension, he made a representation to the second respondent on 23.12.2015.

3. Without going into the merits of the matter, the second respondent is directed to consider the representation submitted by the writ petitioner on 23.12.2015, and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is eligible for subsistence allowance as per the Rules and the right of subsistence allowances as per Rules, also shall be considered by the second respondent while considering the representation.

4. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.
2. The Superintendent Engineer,
Corporation of Chennai,
Mechanical Engineering Department,
Rippon Buildings,
Chennai - 600 003.

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W.P.No.12039 of 2016

SS (CO)
VR (02/11/2017)