

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7817 of 2017

V. Kolanji

..Petitioner

Vs.

The Secretary to the Government,
Public Department,
Secretariat, Chennai - 600 009.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records vide G.O.No.817 dated 07.10.2016 by the respondent and quash the same and consequently direct the respondent to consider the petitioner's representation dated 21.03.2017.

For Petitioner : Mr.S.Arivazhagan.

For Respondents : Mr.S.Gunasekaran,
Additional Government Pleader

O R D E R

Heard Mr.S.Arivazhagan, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Additional Government Pleader appearing for the respondent. With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage.

2.The order of suspension is under challenge in this Writ Petition. The writ petitioner is working as an Office Assistant in Public Department and a criminal case in Crime No.395 of 2016 was registered against the writ petitioner under Sections 406 and 420 of the Indian Penal Code by the Central Crime Branch at Chennai. It is stated in the order of suspension that as the investigation in the criminal case is in progress, the petitioner was placed under suspension with effect from 07.10.2016.

3.Since the criminal case is under investigation relating to Sections 406 and 420 of the Indian Penal Code, this Court is not inclined to consider the granting of any relief against the order of suspension. Further, suspension cannot be construed as a punishment at this point of time more specifically when an investigation is undertaken by the Central Crime Branch at Chennai.

4.Such being the factum of this case, the writ petitioner is not entitled for any relief as sought for in this writ petition and consequently, the Writ Petition stands dismissed. However no order as to costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

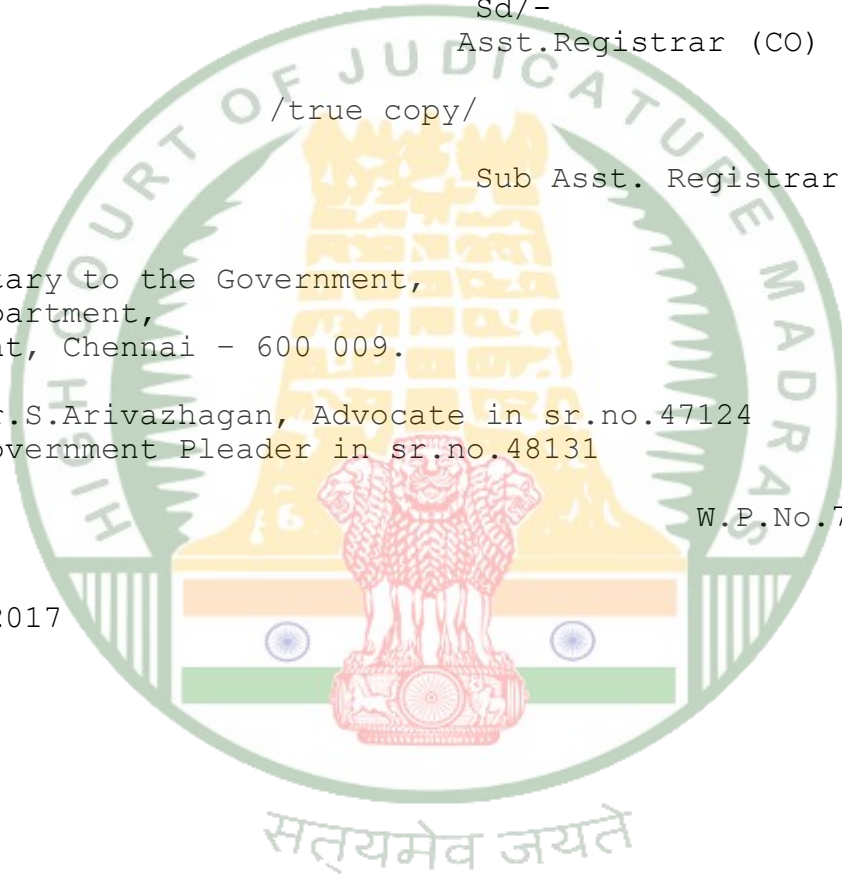
The Secretary to the Government,
Public Department,
Secretariat, Chennai - 600 009.

+1cc to Mr.S.Arivazhagan, Advocate in sr.no.47124

+1cc to Government Pleader in sr.no.48131

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GJII(CO)
NR 21/07/2017



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