

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.07.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.5946 of 2017

K.Janarthanan

..Petitioner

Versus

1. The Commissioner of Municipal
Administration,
Chepauk, Chennai-600 005.

2. The Commissioner,
Erode City Municipal Corporation,
Erode.

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of MANDAMUS, directing the 1st respondent to pass appropriate orders on the representation of the petitioner dated 03.10.2016 within a reasonable period.

For Petitioner : Mr.T.Ranganathan

For Respondents: Mr.S.Gunasekaran
Additional Government Pleader

O R D E R

The writ petitioner was initially appointed as Overseer in Salem Municipality and thereafter, promoted to the post of Junior Engineer. He was placed under suspension on account of a pending criminal case registered in Crime No.21 of 1996 in Spl.C.C.No.15 of 1997, dated 24.10.1997, by the department of Vigilance and Anti Corruption. The petitioner was arrested and released on bail and was continuing under suspension.

2. The learner counsel appearing for the writ petitioner submitted that in the judgment delivered in Criminal Appeal No.456 of 2000 dated 21.08.2009, he was acquitted from the criminal charges. Further, no departmental proceedings was undertaken after issuance of the order of suspension. That apart, no charge memo also was issued. Therefore, the period of

suspension has to be regulated in accordance with the Service Register. In this regard, the petitioner submitted a representation to the first respondent on 02.03.2017 and no decision is taken on this representation.

3. In view of the above facts and circumstances, without going into the merits of the case, the first respondent is directed to consider the representation submitted by the writ petitioner on 02.03.2017 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. Accordingly, the Writ Petition stands disposed of. However, no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Municipal
Administration,
Chepauk, Chennai-600 005.
2. The Commissioner,
Erode City Municipal Corporation,
Erode.

+ 1 cc to Mr.T.Ranganathan, Advocate Sr.48916
+ 1 cc to Government Pleader Sr.49673

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PA(CO)
EU 1.08.17

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