

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.44158/2016 & WMP.No.37990/2016

Manthira Kannan

..Petitioner

Vs

1.The Additional Director General of Police
and Inspector General of Prison
Tamil Nadu Prison Department
CMDA Tower, Gandhi Irwin Road
Egmore, Chennai 600 008.

2.The Superintendent of Prison
Central Prison-II, Puzhal
Chennai 600 066.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus calling for the records from the 2nd respondent pertaining to the impugned suspension order NO.7254/Po.3/2016 dated 07.12.2016 and quash the same and consequently direct the 2nd respondent to allow the petitioner to continue his service.

For Petitioner : Mr.M.R.Senthil Kumar

For Respondents: Mr.K.Dhananjayan, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner, while working as Grade-II Warden in the Central Prison, Puzhal, Chennai, was issued with the order of suspension dated 07.12.2016, on the ground that he permitted clandestinely, certain prohibited items, such as cell phones and handed over the same to the Under Trial Prisoner bearing No.97978, Pandi @ Rajmohan, S/o.Azhagu, and to the Preventive detention Prisoner, bearing No.8297, Kumaran,

S/o.Murugan, by receiving illegal gratification of Rs.10,000/-. The petitioner, in this regard, has submitted a representation dated 13.12.2016 to the 2nd respondent, denying the allegations and as such, the order of suspension is to be revoked/reviewed and since no response is forthcoming, he came forward to file the present writ petition.

3 Heard the learned counsel for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representation or in this writ petition, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 13.12.2016 on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The Additional Director General of Police
and Inspector General of Prison
Tamil Nadu Prison Department
CMDA Tower, Gandhi Irwin Road
Egmore, Chennai 600 008.

2.The Superintendent of Prison
Central Prison-II, Puzhal
Chennai 600 066.

+lcc to Mr.Senthil kumar, Advocate, S.R.No.10
+lcc to the Government Pleader, S.R.No.228

RSY(CO)
RS(19/01/2017)

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