

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.37157 of 2003

and

W.P.M.P.No.45084 of 2003

and

W.V.M.P.No.278 of 2004

K.Sakthivel

.. Petitioner

.. Vs ..

The Government of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration &
Water Supply Department,
Secretariat, Chennai - 9.

... Respondent

Prayer: Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records on the file of the respondent in connection with the orders passed by him in G.O.(D) No.205, Municipal Administration and Water Supply (ME.4) Dept., dated 01.07.2003 and Letter No.24960/ME.4/2003-1 dated 09.10.2003 and quash the same.

For Petitioner : Mr.M.Jothi Basu
For Respondent : Mrs.K.Bhuvaneswari,
Government Advocate

ORDER

The petitioner has filed this writ petition praying for the issuance of a Writ of Certiorari, to call for the records on the file of the respondent in connection with the orders passed by him in G.O.(D) No.205, Municipal Administration and Water Supply (ME.4) Dept., dated 01.07.2003 and Letter No.24960/ME.4/2003-1 dated 09.10.2003 and to quash the same.

2. The case is initially listed before this Court on 14.07.2017 and thereafter on 21.07.2017. Today, when the matter is called, there is no representation on behalf of the petitioner. Hence, this Court decided to pass an order on merits.

3. The petitioner has filed the present writ petition challenging the suspension order. The petitioner was suspended for certain irregularities committed by him. By way of G.O.(D) No.205, Municipal Administration and Water Supply (ME.4) Dept., dated 01.07.2003, the petitioner was placed under suspension on the ground that an enquiry into criminal offence is under investigation against the petitioner. The said suspension order was served on the petitioner on 03.07.2003 and after lapse of some time, the petitioner made a representation to the respondent on 13.09.2003 and after receipt of the said representation, the respondent has passed the following order:-

"In the G.O. read above, you have been placed under suspension since an enquiry into criminal offence is under investigation against you by the Director of Vigilance and Anti-Corruption. The Government after careful examination of your representation found that since the enquiry into the criminal offences against you is still under investigation and considering the gravity of offence, the Government have decided to reject your request for your reinstatement into service."

4. This Court, by an order dated 06.01.2004, after recording the fact that the petitioner had already been transferred from Salem to Madurai, granted an order of interim stay against the suspension order.

5. The revocation of suspension order was passed in the year 2003 and now, 13 years had elapsed. Hence, this Court is of the view that nothing survives to be adjudicated in this petition and accordingly, this Writ Petition is closed. Consequently, the connected miscellaneous petitions are also closed. No costs.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Jr1

To

The Secretary,
The Government of Tamil Nadu,
Municipal Administration &
Water Supply Department,
Secretariat, Chennai - 9.

+1 cc to the Government Pleader sr
60555

W.P.No.37157 of 2003

cp(co)
aa15/09/2017



WEB COPY