



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

W.P(MD)No.15187 of 2017

and

W.M.P. (MD)No.11996 of 2017

Mahalakshmi

... Petitioner

-vs-

The District Collector,
Virdhunagar District,
Virdhunagar.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the respondent in his proceedings Roc.No.R1/3345/2008-1 dated 17.05.2017 and quash the same.

For Petitioner : Mr.P.Santhoshkumar

For Respondent : Mr.K.Guru,

Additional Government Pleader

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents.

3.The present writ petition is directed against the impugned order of suspension dated 17.05.2017, which has been passed on the basis of the conviction and sentence imposed by the learned Chief Judicial Magistrate, Srivilliputhur, dated 17.05.2017, holding her guilty of offences punishable under Sections 120 (b), 467, 468, 471, 420 of and 409 r/w. 109 of IPC and Section 13(1)(c), 13(1) d) r/w 13(2) of Prevention of Corruption Act and sentencing her to undergo Rigorous Imprisonment for three years and with a fine of Rs.1,21,000/- for swindling the small saving incentive amount to the tune of Rs.14,43,000/- by forging the records, thereby cheated and misappropriated the Government money.



4. The learned counsel appearing for the petitioner would submit that as against the judgment in Spl.C.C.No.44/2014 by the learned Chief Judicial Magistrate, Srivilliputhur, dated 16.05.2017, an appeal has been preferred before this Court in CrI.A.(MD) No.163 of 2017. Pending appeal, this Court has suspended the sentence imposed on the petitioner on 09.06.2017 in CrI.M.P.(MD)No.4665 of 2014. Therefore, the petitioner has given an application on 17.06.2017 to the respondents to review the order of suspension. Till date, the said application to review the order of suspension has not been considered. Hence, a direction may be issued, he pleaded.

5. But, this Court is unable to find any merit in this petition. The reason is that the petitioner, who is arrayed as A4 in Special C.C. No.44 of 2014 on the file of the learned Chief Judicial Magistrate, Srivilliputhur for various offences suffered conviction and sentenced with a fine of Rs.1,21,000/- and though the said sentence has been suspended, this Court is not inclined to entertain the writ petition.

6. Accordingly, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Virdhunagar District,
Virdhunagar.

+1cc to Spl.Government Pleader Sr.No.72424

MRN/RR

VB/MR/KKR/SAR1/11/09/2017/2P/3C

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