



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA**W.P. (MD) No.16014 of 2017****and****W.M.P. (MD) No.12678 of 2017**

D.Tamilalagan

... Petitioner

Vs.

1.The District Collector
Trichy District, Tiruchirappalli.2.The Personal Assistant to the District Collector
(Development)
Trichy District, Tiruchirappalli.3.The Block Development Officer,
(Village Panchayats)
Lalgudi Panchayat Union,
Lalgudi, Trichy District

... Respondents

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 of the 2nd respondent in his proceedings in Na.Ka.Thal/10777/2016 dated 08.12.2016 and quash the same as illegal, arbitrary, violation of Principles of law and further direct the respondents to reinstate the petitioner as a panchayat Secretary in the Konnaikudi Village Panchayat, Lalgudi Panchayat Union, Trichy District, within a stipulated period.

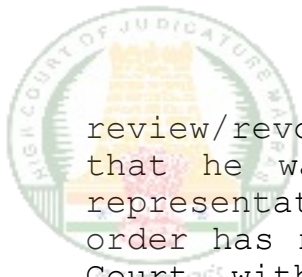
For Petitioner : Mr.M.Jothi Basu

For Respondents : Mr.R.Karthikeyan
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 for the respondents.

3. The petitioner, while serving as a Panchayat Secretary in Konnaikudi Village Panchayat, suffered an order of suspension on 08.12.2016 with an allegation of misappropriation of Panchayat amount to the tune of Rs.14,44,781/-. However, even after the completion of eight months, the respondents have not come forward to



review/revoke the suspension order. Though the petitioner submitted that he was no way connected to the said misappropriation, his representation dated 28.06.2017 to revoke the order of suspension order has not been considered so far. Therefore, he is before this Court, with this writ petition with the aforesaid prayer.

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4. The learned Additional Government Pleader sought for four weeks time to consider the petitioner's representation.

5. Since the Apex Court in **Ajay Kumar Choudhary v. Union of India** reported in **(2015) 7 SCC 291**, has held that prolonged suspension cannot be allowed to continue and the respondents should pass an order reviewing or reconsidering the suspension, in the present case, no review has taken place.

6. In view of the above, the respondents are directed to consider the representation of the petitioner dated 28.06.2017 on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector

Trichy District, Tiruchirappalli.

2.The Personal Assistant to the District Collector

(Development), Trichy District, Tiruchirappalli.

3.The Block Development Officer,

(Village Panchayats)

Lalgudi Panchayat Union, Lalgudi, Trichy District.

+1cc to Mr.M.JOTHI BASU Advocate in SR. No. 75552

RR

JS/KP/SAR.2/13.09.2017/2P-5C

W.P. (MD) No.16014 of 2017

and

W.M.P. (MD) No.12678 of 2017

30.08.2017