



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.02.2017

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

**WP(MD) No.2646 of 2017
and
WMP(MD)No.2185 of 2017**

S.Muthuvel

.. Petitioner

Vs

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Personal Assistant to District Collector,
O/o.District Collectorate,
Virudhunagar District,
Virudhunagar.

3.The Assistant Director of Panchayat,
Virudhunagar District,
Virudhunagar.

4.The Block Development Officer,
Rosalipatti Panchayat,
Virudhunagar Panchayat Union,
Virudhunagar District.

5.The President,
Rosalipatti Panchayat,
Virudhunagar Panchayat Union,
Virudhunagar District.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the entire records relating to the impugned suspension order passed by the 2nd Respondent vide his proceedings in Na.Ka.R.No.34074/2015 dated 14.09.2015 and quash the same as illegal.

For Petitioner

: Mr.M.S.Jeyakarthik

For RR 1 to 3

: Mr.A.K.Baskara Pandian

Special Government Pleader

For RR4 and 5

: Mr.K.P.Krishnadoss

Government Advocate

O R D E R

The prayer sought for in the writ petition is for a writ of certiorari, to call for the records pertaining to the orders



passed by the second respondent by his proceedings, dated 14.09.2015 and quash the same.

2. Mr.A.K.Baskara Pandian, learned Special Government Pleader takes notice for the respondents 1 to 3. Mr.K.P.Krishnadoss, learned Government Advocate takes notice for the respondents 4 and 5. By consent of both parties the main writ petition itself is taken up for final disposal in the admission stage.

3.Though the petitioner has come out with the present writ petition with the above said prayer, the learned counsel for the petitioner would submit that as against the impugned order of suspension, dated 14.09.2015, the petitioner had given a representation on 15.06.2016 to the first respondent wherein he has made a request that his suspension order can be revoked. In spite of the said representation having been submitted as early as on 15.06.2016, no action was forthcoming from the respondents. Therefore, he submits that if a direction is given to the respondents to consider the said representation and to pass orders thereon within a time to be stipulated by this Court, the petitioner would be satisfied.

4.Heard the learned counsel for the petitioner and the learned Special Government Pleader and the learned Government Advocate appearing for the respondents.

5.The learned counsels for the respondents submit that though the representation has been given to the first respondent, the appropriate authority to decide the same is the fourth respondent. Therefore, if a copy of the said representation dated 15.06.2016 is given once again to the second and fourth respondents, they would decide the same on merits and dispose of.

6.Considering the said submissions made by both sides, this petition is disposed of with a direction to the petitioner to send a copy of his representation, dated 15.06.2016 to the second and fourth respondents immediately and on receipt of the same, the second and fourth respondents shall consider it and pass orders by making a review of the suspension made against the petitioner, in accordance with law, within a period of four weeks from the date of receipt of such copy of representation of the petitioner.

7.With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions is closed. No Costs.

Sd/-
Assistant Registrar (C)



To

1.The District Collector,
Virudhunagar District, Virudhunagar.

2.The Personal Assistant to District Collector,
O/o.District Collectorate,
Virudhunagar District, Virudhunagar.

3.The Assistant Director of Panchayat,
Virudhunagar District, Virudhunagar.

4.The Block Development Officer,
Rosalipatti Panchayat,
Virudhunagar Panchayat Union,
Virudhunagar District.

+1 CC to M/s.M.S.JEYAKARTHICK, Advocate, SR No. 8753

+1 CC to M/s.THE SPECIAL GOVERNMENT PLEADER, SR No. 8964

PJL

PSM/CM-MSA/28.02.2017/3P/7C

W.P (MD) No.2646 of 2017
16.02.2017