



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06. 04.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

W.P. (MD) No.19230 of 2016
and
W.M.P. (MD) No.13884 of 2016

N.Mohan

... Petitioner

Vs.

District Collector,
Dindigul District,
Dindigul.

... Respondent

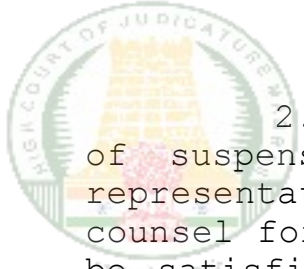
Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records on the file of the respondent in pursuant to the impugned order of suspension passed by him in his proceedings Roc.No.16932/2015/A1 dated 18.06.2015 and the consequential impugned order of rejection passed by him vide Memorandum in Na.Ka.No.16932/2015/A1 dated 22.09.2015 and Roc.No.16932/2015/A1 dated 29.04.2016 respectively and quash all as illegal and arbitrary and consequently direct the respondent to reinstate the Petitioner in service with all service and monetary benefits in the light of the judgment passed by the Hon'ble Apex Court in **Ajaykumar Chowdhary vs. Union of India** within the time limit that may be stipulated by this Court.

For Petitioner
For Respondent

: Mr.G.Thalaimutharasu
: Mr.J.Gunaseelan Muthaiah
Government Advocate.

ORDER

This Writ Petition has been filed by the petitioner to issue a Writ of Certiorarified Mandamus, challenging the order of suspension passed by which respondent in his proceedings dated 18.06.2015, and the consequential order of rejection passed by the respondent vide Memorandum, dated 22.09.2015 and 29.04.2016 respectively, and quash the same as illegal and arbitrary and consequently to direct the respondent to reinstate the petitioner in service with all service and monetary benefits in the light of the judgment passed by the Hon'ble Apex Court in **Ajaykumar Chowdhary vs. Union of India** within the time limit that may be stipulated by this Court.



2. Though the writ petition is filed challenging the order of suspension and the subsequent order of rejection of the representation to revoke the order of suspension, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if he is permitted to make a fresh representation and a direction is issued to the respondent to consider his representation in the light of the judgment of Honourable Supreme Court in the case of **Ajaykumar Chowdhary vs. Union of India** in accordance with law and within the time frame that may be stipulated by this Court.

3. Considering the limited scope of the prayer now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to pass the following direction:

3.1. The petitioner is directed to make a fresh representation for revocation of suspension order within a period of two weeks, and on such representation being made by petitioner, the respondent is directed to consider the same and pass appropriate orders on merits and in the light of judgment of the Honourable Supreme Court Cited Supra and the Division Bench Judgment of this Court reported in **2017 1 CTC 729, M.S. Jaffar Sait v. Union of India** having regard to the peculiar facts of this case, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition No.13884 of 2016 is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

District Collector,
Dindigul District,
Dindigul.

+1cc to Mr. G. Thalaimuthurasu, Advocate, SR.50763

+1cc to Mr. Special Government Pleader, SR.50902

W.P. (MD) No.19230 of 2016
and

W.M.P. (MD) No.13884 of 2016
06.04.2017

CMR/GSP

<https://hccs.cem.gov.in/Services/2017-2P-4c>