



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2013

CORAM :

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P(MD)No.7276 of 2013

and

M.P(MD)No.1 of 2013

K.KARUPPIAH

[ PETITIONER ]

S/O.KULANTHAISAMY NO. 176 CHINNA

REDDAVAYAL PERAVURANI TK THANJAVUR DT.

Vs.

1 THE DISTRICT COLLECTOR  
THANJAVUR DT.

[ RESPONDENTS ]

2 THE REVENUE DIVISIONAL OFFICER  
PATTUKOTTAI THANJAVUR DT.

3 THE TAHSILDAR  
PERAVURANI TK PERAVURANI THANJAVUR DT.

Prayer : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the form of writ calling for records pertaining to impugned order dated 01.04.2013 in Na.Ka.1749/2013/A-6 issued by 3rd Respondent and quash the same and also consequently direct the respondents to pay full salary and other allowances during the period of suspension.

For Petitioner : Mr.R.Narayanan

For Respondents : Mr.R.Anandaraj, GA

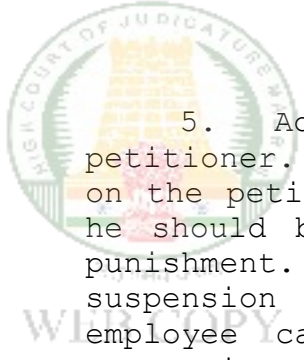
#### O R D E R

The petitioner is a Village Assistant. He is placed under suspension by the impugned order. It is stated that the petitioner has altered the village records. The petitioner has filed this writ petition to quash the impugned order placing him under suspension under rule 17(e) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

2. Heard the learned counsel for the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he did not make any alterations in the village records. The learned counsel strenuously contended that before passing the suspension order, he was not heard and hence the impugned suspension order is violative of principles of natural justice. It is his main contention that the petitioner should be heard before passing the suspension order.

4. I have considered the submission made by the learned counsel for the petitioner.



5. Admittedly, there is a total misconception on the part of the petitioner. If the order of suspension is an order imposing punishment on the petitioner, then the petitioner is correct in his contention that he should be heard. But in the instant case, it is not an order of punishment. It is only an interim measure and he is placed under suspension pending departmental action. In such cases, the Government employee cannot insist that he should be heard before passing the suspension order. Hence, there is no merit in the contention raised by the learned counsel for the petitioner.

6. As far as the contention of the learned counsel for the petitioner that he did not make any alterations in the revenue records, it is for the petitioner to lead appropriate evidence during departmental enquiry. It is also not the contention of the learned counsel for the petitioner that the authority who issued the suspension order lacks jurisdiction.

7. For all the above reasons, the writ petition is dismissed. M.P (MD)No.1 of 2013 is closed. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1 THE DISTRICT COLLECTOR, THANJAVUR DISTRICT.

2 THE REVENUE DIVISIONAL OFFICER, PATTUKOTTAI, THANJAVUR DISTRICT.

3 THE TAHSILDAR, PERAVURANI TALUK, PERAVURANI, THANJAVUR DISTRICT.

+1C.C. to M/s.R.Narayanan, Advocate in Sr.No.24239

+1C.C. to the Special Government Pleader in Sr.No.24653

W.P (MD)No.7276 of 2013  
and M.P (MD)No.1 of 2013  
26.04.2013

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