

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.04.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9041 of 2018
and
W.M.P.No. 10895 of 2018

M.Gabriel

... Petitioner

Vs.

The Sub Collector
Cuddalore District.

.... Respondent

Prayer : Petitions filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records connected with the proceedings issued in RC.A6/1798/2017 dated 19.05.2017 passed by the respondent herein and quash the same and consequently direct the respondent to reinstate the petitioner into service with all attendant benefits.

For Petitioner : Mr.S.Ilamvaludhi

For Respondents : Mr.G.B.Rajesh
Government Advocate

O R D E R

The order of suspension issued in proceedings dated 19.05.2017 is under challenge in this writ petition.

2.The writ petitioner was working as Village Administrative Officer at Vadakkumelur Village, Kurinjipadi Taluk, Cuddalore District. The vigilance and Anti Corruption Wing of Cuddalore registered a criminal case against the writ petitioner in crime No.6 of 2017 under Sections 7 and 8 of the Prevention of Corruption Act, 1988. The allegations against the writ petitioner is for the demand and acceptance of Rs.15,000/- as bribe from one Thiru.D.Balasubramanian, Son of Sri.G.Danasingh, Vanathirayapuram, Thenkuthu Vadalur, Kurinjipadi Taluk, Cuddalore District for recommending Thiru.D.Balasubramanian's application for sub-division patta transfer of Thiru.D.Balasubramanian's father, paternal uncle and brother. There is no infirmity as such in respect of the order of suspension issued by the respondent.

3.However, the learned counsel appearing on behalf of the writ petitioner states that the order of suspension is to be periodically reviewed as per the Government Orders at least once in six months depending on the progress made in the criminal case and in the departmental disciplinary proceedings. Though the writ petitioner was placed under suspension in May 2017, for the past 1 year no action has been taken even to review the order of suspension. Such process of review shall be taken in accordance with law.

4.With these observations, this writ petition stands dismissed. However, there is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

The Sub Collector
Cuddalore District

+1 cc to the Govt Pleader sr 28069

+1 cc to Mr.S.Ilamvaludhi advocate sr 28343

W.P.No.9041 of 2018

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