

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.No.10371 of 2018 &  
WMP Nos.12338 & 12339 of 2018

A.Sivakumar

.. Petitioner

Vs

The Municipal Commissioner,  
Ranipet Municipality,  
Ranipet,  
Vellore District.

.. Respondent

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 relating to the impugned order of the respondent in Roc.No.3149/2016/C1 dated 09.09.2016 and quash the same and direct the respondent to reinstate the petitioner in service with all consequential benefits.

For Petitioner : Mr.P.Rajendran

For Respondent : Mr.V.Kadhirvelu, Spl.GP.

ORDER

This writ petition has been filed with a prayer to quash the order of suspension issued against the petitioner vide order No.in Roc.No.3149/2016/C1 dated 09.09.2016 of the respondent and seeking for a direction to reinstate the petitioner in service with all consequential benefits.

2. Heard Mr.P.Rajendran, learned counsel for the petitioner and Mr.V.Kadhirvelu, learned Special Government Pleader for the respondent.

3. The learned counsel for the petitioner submits that the petitioner is ready and willing to make a representation in this regard to the respondent to review his order of suspension. The learned counsel has also submits that in view of the limited prayer sought for by the petitioner, the present writ petition may be disposed of, directing the respondent to review the order of suspension in light of the

law laid down in the case of Ajay Kumar Choudhary Vs. Union of India and another (2015) 7 SCC 291).

4. Mr.V.Kadhirvelu, the learned Special Government Pleader has submitted that if such representation is being made, the same may be considered and disposed of within a stipulated period in accordance with law as per the direction of this Court.

5. Considering the above facts and the submissions made by the learned counsel on either side and without going into the merits of the case, this writ petition is disposed of, giving liberty to the petitioner, if so advised, to make a representation to the respondent to review his order of suspension and in that event, the respondent shall take a informed and considered decision by way of a speaking order on such representation, taking into consideration the law laid down in the case of Ajay Kumar Choudhary cited supra, if there is no other legal impediment. Such decision for review must be taken within a period of three weeks from the date of receipt of such representation with a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

dn

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

The Municipal Commissioner,  
Ranipet Municipality,  
Ranipet,  
Vellore District.

+1cc to Mr.P.Rajendran, Advocate Sr.No.35574

SV(CO)  
sm:3.7.2018

W.P.No.10371 of 2018