

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.12.2018
CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 27143 of 2005
and
M.P.No.29579 of 2005

Radhalakshmi

... Petitioner

Vs

The Collector,
Chennai City,
Collector's Office,
Chennai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the proceedings of the respondent in Proc No.A1/63808/2005 dated 19.08.2005 and quash the same.

For Petitioner: Mrs.Narmadha Sampath

For Respondent : Mr.Akhil Akbar Ali,
Governement Advocate.

O R D E R

The order of suspension dated 19.08.2005, placing the writ petitioner under suspension on account of the initiation of disciplinary proceedings is under challenge in the present writ petition.

2. The impugned orders states that an enquiry into grave Charges levelled against the writ petitioner in Charge Memo No. A1/63808/2004, dated 17.01.2005 was under process. Even at the time filing of the writ petition, the writ petitioner was aged about 55 years. Thus, the writ petitioner would have attained the age of Superannuation during the year 2008. An attaining the age of superannuation, a revised order of suspension and the extension of service with reference to the Fundamental Rules ought to have been issued by the competent authorities. Thus, there is no need to adjudicate the suspension order issued in the year 2005.

3. The learned counsel for the petitioner states that, he had given change of vakalat long back on accordingly file a

Memo. However, considering the facts that the writ petitioner was placed under suspension during the year 2005 and attained the age of superannuation during the year 2008-2009. Now after lapse of about 13 years, if at all the writ petitioner is having any grievances, it is left open to him to adjudicate the same in the manner known to law.

4. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

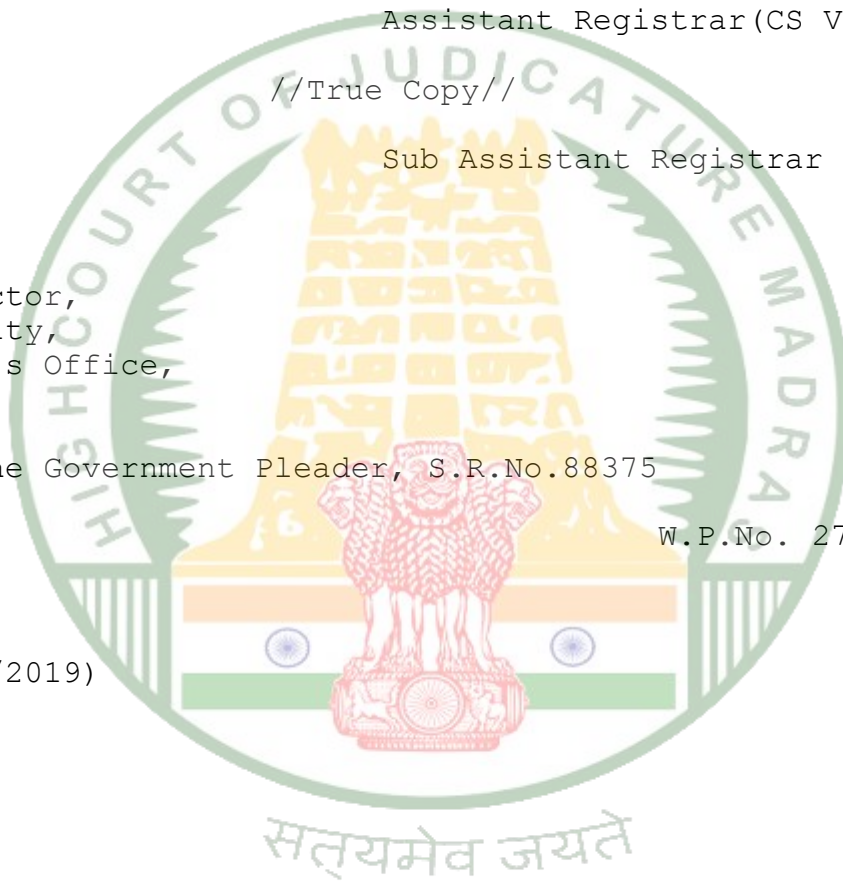
kak/kmm

To
The Collector,
Chennai City,
Collector's Office,
Chennai.

+1cc to the Government Pleader, S.R.No.88375

W.P.No. 27143 of 2005

KJ(CO)
GSP(22/01/2019)



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