

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2018

CORAM

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

W.P.No.29992 of 2005

And

W.P.M.P.No.32874 of 2005

V.Radhakrishnan

... Petitioner

Vs

1.The District Collector,
Salem.

2.The Revenue Divisional Officer,
Salem.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent in Pro.Roc.No.9354/2003/A1 dated 26.11.2003 and Memo Na.Ka.No.9354/2003/A1 dated 7.7.2005, quash the same and issue consequential directions to the respondents to reinstate the petitioner in service with consequential benefits.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.Akhil Akbar Ali,
Government Advocate.

O R D E R

The writ petition is filed challenging the order of suspension issued against the writ petitioner in proceedings dated 7.7.2005.

2. The writ petitioner was placed under suspension on account of the initiation of disciplinary proceedings. Even at the time of filing of the present writ petition, the writ petitioner was aged about 53 years and he would have attained the age of superannuation long back. On the date of superannuation, the Authorities Competent are bound to pass an order in respect of the order of suspension earlier issued. If

the disciplinary proceedings are pending, then the authorities have to pass a fresh order, continuing the suspension by granting extension of service by invoking the provisions of the Fundamental Rules.

3. Thus, the earlier suspension order dated 26.11.2003, now under challenge in the present writ petition, deserves no further consideration and accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS III)

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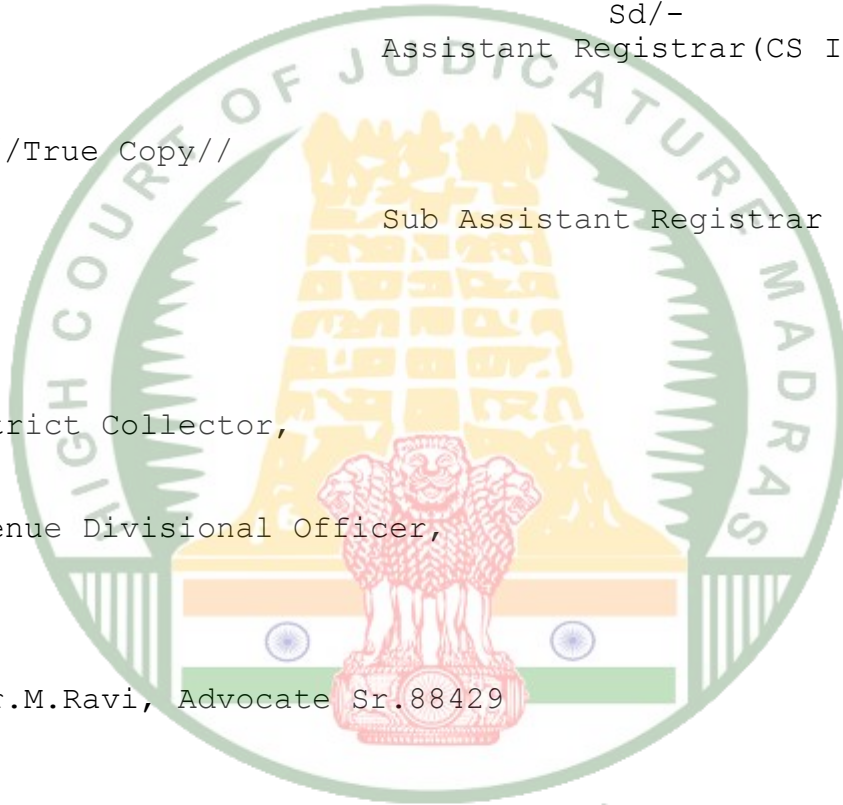
Sub Assistant Registrar

Svn

To

- 1.The District Collector,
Salem.
- 2.The Revenue Divisional Officer,
Salem.

+lcc to Mr.M.Ravi, Advocate Sr.88429



सत्यमेव जयते WP No.29992 of 2005

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