

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.04.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.8668 of 2018

and

W.M.P.No.10590 of 2018

N.Rathinam

.. Petitioner

Versus

The District Collector,
Namakkal District,
Namakkal, Tamil Nadu.

.. Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for records of the impugned proceedings under Roc.No.33532/2017/A2 dated 08.11.2017 issued by the District Collector, Namakkal, the respondent herein and to quash the same as illegal, non - est and void-ab-nitio in the eyes of law.

For Petitioner : Mr.L.Swaminathan

For Respondent : Mr.V.Kadhir Velu

O R D E R

The learned counsel appearing on behalf of the writ petitioner argued the matter for a considerable length of time. The order under challenged is the suspension order issued on the ground that a criminal case in Namakkal Vigilance and Anti-Corruption Detachment Crime No.7/AC/2017 under Section 7 and 12 of the Prevention of Corruption Act, 1988 has been registered against the writ petitioner on 04.11.2017.

2. The learned counsel has raised various grounds and this Court expressed an opinion that it is a case against Corruption and a criminal case is registered against the writ petitioner under Prevention of Corruption Act and therefore, the Court need not interfere with the order of suspension at this point of time and the suspension cannot be construed as a

punishment under the service jurisprudence when an opinion is expressed by the Court. The learned counsel appearing on behalf of the writ petitioner has expressed his willingness to withdraw the writ petition. Permission granted. The writ petition stands dismissed as withdrawn. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

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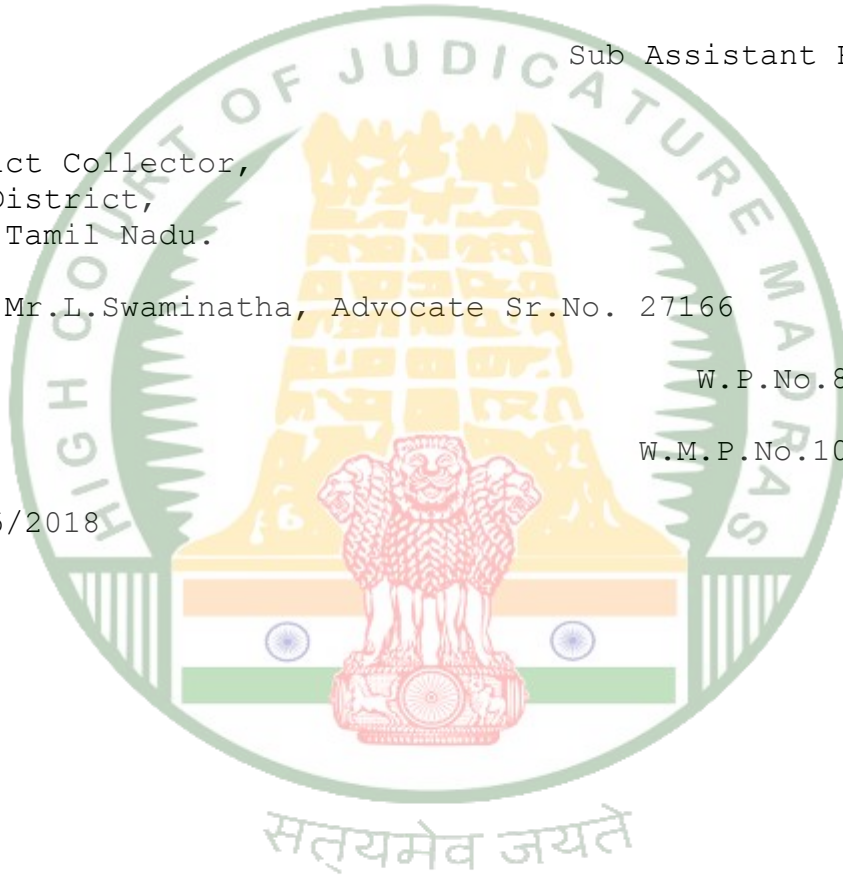
Sub Assistant Registrar

To
The District Collector,
Namakkal District,
Namakkal, Tamil Nadu.

+ 1 cc to Mr.L.Swaminatha, Advocate Sr.No. 27166

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MR(CO)
RRI 11/05/2018



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