

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :30.07.2018
CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.8710 of 2013
and
W.M.P.Nos.10628 & 10629 of 2018

G.Jayaprakash

..Petitioner

vs

1.District Collector,
Thiruvallur District,
Thiruvallur.

2.Personal Assistant (Panchayat Development) to
District Collector,
Thiruvallur District,
Thiruvallur.

3.Block Development Officer,
Poondi Panchayat Union,
Poondi, Thiruvallur District.

.. 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 pertaining to the order passed by the 1st Respondent in his Proceedings Na.Ka.No.2938/2011/PC1 dated 24.02.2011 and quash the same, and direct the Respondents to confer all the consequential benefits to the petitioner.

For Petitioner : Mr.P.Ganesan
for M/s.C.S.Associates

For Respondents : Mr.S.R.Rajagopal - AAG
Assisted by Mr.D.Raghu, GA

O R D E R

The learned Additional Advocate General appearing on behalf of the respondents now brought to the notice of this Court that pursuant to the orders passed by this Court, actions were taken swiftly by the District Collector and the order of suspension issued to the writ petitioner has been revoked and he is reinstated in service. This apart, the disciplinary proceedings were initiated against the writ petitioner also has been concluded and final order has been passed in the disciplinary proceedings. Thus, no further adjudication needs to be entertained in respect of the grounds raised in the present writ petition.

2.The learned Additional Advocate General contended that pursuant to the orders passed by this Court on 27.07.2018, the Block Development Officer, one Mr.S.G.Krishnan was placed under suspension in proceedings dated 27.07.2018. The learned Additional Advocate General further contended that long delay in conclusion of the disciplinary proceedings in respect of the writ petitioner occurred on account of certain administrative decisions to be taken at the Government level and the delay is neither willful nor wanton. However, the disciplinary proceedings were now concluded. This apart, the said Mr.S.G.Krishnan, Block Development Officer, was not in a position to place the facts before this Court in view of the fact that the files were with the District Collector and not with the Block Development Officer. This apart, the learned Additional Advocate General states that the Track record of the said Block Development Officer, Mr.S.G.Krishnan is in order and in fact, there is no adverse remarks against him in his service records.

3.Taking note of the fact that the Block Development Officer is not facing any adverse remarks from the Superior officials, the order of suspension issued to him by the District Collector on 27.07.2018 is to be revoked. The said Block Development Officer is warned that hereafter he must be sensitive and respond to the Court proceedings as well as the proceedings of the higher officials. Today, the said Block Development Officer, Mr.S.G.Krishnan is present before this Court and tendered unconditional apology for not producing the files and not instructing the Government Advocate on 27.07.2018. Accepting the apology, the said order of suspension dated 27.07.2018 stands revoked and the District Collector, Thiruvallur, is directed to reinstate the said Block Development Officer into service.

4.Thus, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.District Collector,
Thiruvallur District,
Thiruvallur.

2. Personal Assistant (Panchayat Development) to
District Collector,
Thiruvallur District,
Thiruvallur.

3. Block Development Officer,
Poondi Panchayat Union,
Poondi, Thiruvallur District.

+1cc to Mr.C.S.Associates, Advocate, S.R.No.51576

+1cc to the Government Pleader, S.R.No.51878

W.P.No.8710 of 2018

SJ(CO)
GSP(10/08/2018)



WEB COPY