

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.06.2018

CORAM

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

W.P.No.5770 of 2016
and
W.M.P.No.5106 of 2016

R.Balaji

..Petitioner

vs

1. The TANGEDCO,
Rep by its Chairman Cum Managing Director,
Chennai-600 002.

2. The Superintending Engineer,
CEDC/South/TAMGEDCO,
K.K.Nagar,
Chennai-600 078.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records of the 2nd respondent pertaining the order dated 01.05.2015 in Memo No.P.R.No.308/Adm.1/A4/F.DV&AC-SUS/2015 and quash the same.

For Petitioner : Mr.R.Srinivas

For Respondents : Mr.P.R.Dhilipkumar

सत्यमेव जयते
O R D E R

The relief sought for in this writ petition is to call for the records in relation to the order of suspension issued by the 2nd respondent in proceedings dated 01.05.2015.

2. The writ petitioner was holding the post of Special Grade Foreman. A Criminal case was registered against him under the provisions of the Prevention of Corruption Act, for the allegation of demanding and acceptance of bribe of Rs.8,500/- from one, Thiru.T.Anandaraj, S/o.Thunaiselvam. On account of the allegation of corruption, the Criminal Case was registered.

3. The learned counsel appearing on behalf of the petitioner states that the same is still pending. Further, it is contended that the petitioner is ready to face the Criminal case pending before the competent court and he is under suspension for a prolonged period. It is suggested that the writ petitioner shall be reinstated in service and posted in any one of the non-sensitive posts during the pendency of the criminal case.

4. However, this Court is of an opinion that there cannot be any leniency in respect of the corruption allegations by the courts. When, this Court is not inclined to quash the order of suspension, the learned counsel appearing on behalf of the writ petitioner contented that the petitioner is ready to confine the prayer to the extent of directing the respondents to review the order of suspension.

5. In view of the submission now made before this Court, this Court is inclined to consider the restricted relief now submitted on behalf of the writ petitioner. Accordingly, the 2nd respondent is directed to consider the representation submitted by the writ petitioner on 25.01.2016 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

lok/stm

To

1. The Chairman Cum Managing Director,
The TANGEDCO,
Chennai-600 002.

2. The Superintending Engineer,
CEDC/South/TAMGEDCO,
K.K.Nagar,
Chennai-600 078.

+1cc to Mr.P.R.Dhilipkumar, Advocate sr.39466
+2cc to Mr.R.Srinivas, Advocate Sr.39089

W.P.No.5770 of 2016

srg 29/06/2018



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