



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2018

CORAM

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.3402 of 2018

and

W.M.P.(MD) No.3520 of 2018

P.Paramasivam

... Petitioner

Vs.

The District Adi-Dravidar Welfare Officer,
Thanjavur District,
Thanjavur.

... Respondent

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of suspension in Na.Ka.No.30126/2017/M5 dated 29.12.2017 passed by the respondent and quash the same and consequently directing the respondent to revoke the suspension of the petitioner and reinstate him into the service.

For Petitioner

: Mr.R.Krishnamoorthy
For Mr.C.Prakasam

For Respondent

: Mr.M.Jeyakumar,
Additional Government Pleader.

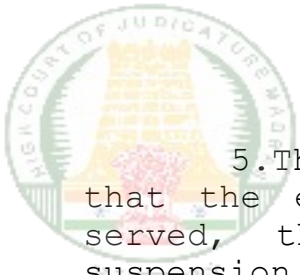
ORDER

Heard the learned counsel on either side.

2.By consent of both parties, the main writ petitionn is taken up for final disposal.

3.The petitioner is working as B.T. Assistant (English) as well as Warden at Adi Dravidar Welfare Boys Hostel, Agarapettai. During the course of an inspection certain lapses were found on the part of the petitioner. Therefore, he was suspended by order dated 29.12.2017. The order of suspension was to facilitate holding of an enquiry.

4.The learned counsel appearing for the petitioner submits that the enquiry had since been conducted and that the orders have also been passed imposing the penalty of stoppage of increment for six months.



5.The purpose of suspending the petitioner was only to ensure that the enquiry was held. Since the said purpose was already served, there is no point in keeping the petitioner under suspension. In this view of the matter, the respondent is directed to revoke the order of suspension dated 29.12.2017 and permit the petitioner to join duty forthwith. It is made clear that the order of suspension is sustained. The relief granted to the petitioner is in respect of his reinstatement. It is open to the petitioner to question the order of penalty imposed on him.

6.This writ petition stands allowed, on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

The District Adi-Dravidar Welfare Officer,
Thanjavur District,
Thanjavur.

+1cc to M/S.C.Prakasam, Advocate SR.No. 56654
+1cc to Special Government Pleader, SR.No. 57278

W.P.(MD)No.3402 of 2018
21.03.2018

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JM/PN/SAR 2/03.07.2018/2P/4C