



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.5720 of 2018

WEB COPY

G.Krishnaraja

... Petitioner

Vs.

1. The Director,
Fire and Rescue Department,
Egmore, Chennai - 600 008.

2. Deputy Director,
North Zone Fire and Rescue
Department,
Chennai - 600 008.

3. District Fire Officer,
Fire and Rescue Department,
Chennai North District,
Chennai.

4. The Station Fire Officer,
Vanniyampathi Station,
Fire and Rescue Department,
Chennai North District,
Chennai.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 19.02.2018 and consequently direct the respondents to reinstate the petitioner for the post of fireman at Vanniyampathi Fire and rescue station, Chennai North District, Chennai.

For petitioner

: Mr.M.Jegadeesha Pandian

For respondents

: Mr.M.Jeyakumar,
Additional Government Pleader

ORDER

Mr.M.Jeyakumar, learned Additional Government Pleader takes notice for the respondents. By consent of both parties, this writ petition is taken up for disposal at the stage of admission itself.

2.The petitioner joined the respondent department as a Fireman on 27.09.2013. He got implicated in a criminal case. He was therefore suspended from service on 04.07.2016. He has since been



acquitted by Judgment dated 23.10.2017 in SC.No.327 of 2017 on the file of the District and Sessions Court No.IV, Tirunelveli.

3.Since the suspension was pursuant to his implication in a criminal case, the petitioner is entitled to be reinstated in view of his acquittal. Therefore, the third respondent is directed to revoke the order of suspension and reinstate the petitioner in service. It is made clear that the order of reinstatement will not come in the way of any departmental action. That may be proposed to be taken by the disciplinary authority.

4.With this observation, this writ petition stands allowed. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Director,
Fire and Rescue Department,
Egmore, Chennai - 600 008.
2. Deputy Director,
North Zone Fire and Rescue Department,
Chennai - 600 008.
3. District Fire Officer,
Fire and Rescue Department,
Chennai North District,
Chennai.
4. The Station Fire Officer,
Vanniyampathi Station,
Fire and Rescue Department,
Chennai North District,
Chennai.

+1cc to Mr.M.Jegadeesha Pandian, Advocate Sr.No.56197
+1cc to The spl. Government Pleader Sr.No.56549

SKM

VB/SKN/RSKS/AR1/25.04.2018/2P/7C