



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.93 of 2018

and

W.M.P.(MD) No.102 of 2018

M.Sankar

... Petitioner

Vs.

The Executive Officer,
Ilayangudi Town Panchayat,
Ilayangudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondent to reinstate the petitioner as sweeper in service having regard to the fact that the petitioner has been under the suspension for more than three years and by considering the petitioner's representation dated 30.08.2017 within the period that may be stipulated by this Court.

For Petitioner : Mr.Mohamed Imran
for Ajmal Associates
For Respondent : Mr.G.Muthukkannan

ORDER

The petitioner is employed as a sweeper in the respondent Town Panchayat. He was implicated in a criminal case. He was arrested. Therefore he was rightly suspended by the respondent. The suspension order was issued on 23.01.2015. Now, more than three years have elapsed. The criminal case is still pending at the investigation stage. Final report is yet to be filed.

2.The respondent has not also initiated any disciplinary proceedings against the writ petitioner. It is also seen that the criminal case in which the writ petitioner is implicated, does not have anything to do with the discharge his official duty. The suspension has really been prolonged in this case.

<https://hcservices.ecourts.gov.in/hcservices/>

3.Therefore, this Court is of the view that the respondent



can be directed to revoke the suspension order and reinstate the petitioner in service. Accordingly, there shall be a direction to the respondent to revoke the suspension order dated 23.01.2015 and reinstate the petitioner in service forthwith.

4. This Writ Petition is allowed as indicated above. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

The Executive Officer,
Ilayangudi Town Panchayat,
Ilayangudi,
Sivagangai District.

+ 1 CC TO Mr.G.MUTHUKANNAN, ADVOCATE IN SR No. 43041
+ 1 CC TO M/s.AJMAL ASSOCIATES, ADVOCATE IN SR No. 43103

LS/SKM

TE/SV-MMS/SAR-1 : 05/02/2018 : 2P/4C

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