



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.07.2018
CORAM

THE HON'BLE Mr.JUSTICE R.SURESH KUMAR

WEB COPY

W.P. (MD) No.9818 of 2018
and
W.M.P. (MD) .Nos.9016 and 9017 of 2018

S.Ravichandran
Manager (In charge),
Devakottai Municipality,
Devakottai.

... Petitioner

-vs-

The Commissioner of Municipal Administration,
O/o. the Commissioner of Municipal Administration,
Chennai-5.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari, calling for the records relating to the impugned order passed by the respondent in his proceedings in Roc.No.10351/2018/K2II dated 16.04.2018 and quash the same.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates
For Respondent : Mrs.S.Srimathy
Special Government Pleader

ORDER

The prayer sought for in this Writ Petition is for a writ of Certiorari, calling for the records relating to the impugned order passed by the respondent in his proceedings in Roc.No.10351/2018/K2II dated 16.04.2018 and quash the same.

2.Heard Mr.C.Venkatesh Kumar, learned counsel, appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader, appearing for the respondent.

3.The petitioner has filed this Writ Petition, challenging the impugned order of suspension, dated 16.04.2018, whereby, the petitioner has been placed under suspension.

4.Today, when the Writ Petition is taken up for hearing, the learned counsel appearing for the petitioner would submit that, though, the order of suspension dated 16.04.2018, is under challenge in this Writ Petition, now, the petitioner since has given a

representation on 20.04.2018 before the respondent, if the said representation is directed to be considered on merits and in accordance with law and an order to that effect is directed to be passed within a time frame that may be fixed by this Court, the petitioner would confine the prayer to that effect by giving up the prayer of challenge made against the impugned order dated 16.04.2018.

5.I have heard the learned Special Government Pleader appearing for the respondent, who would submit that, if, the grievance of the petitioner is to consider the representation dated 20.04.2018, certainly, the same would be considered on merits and an order to that effect would be passed within a time frame.

6.In view of the said submission made by the learned counsel appearing for the petitioner, whereby, he confines the prayer to consider his representation dated 20.04.2018, instead of pressing the prayer of challenging the order dated 16.04.2018, this Court is inclined to pass the following order:-

"that the respondent is directed to consider the representation of the petitioner dated 20.04.2018 on merits and in accordance with law and pass orders thereon, by taking into account, the factual matrix of the case, within a period of six weeks from the date of receipt of a copy of this order."

7.With these directions, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The Commissioner of Municipal Administration,
O/o. the Commissioner of Municipal Administration,
Chennai-5.

+1CC to M/s.Ajmal Associates, Advocate, SR.No.72318
+1CC to the Special Government Pleader SR.No. 72287

W.P.(MD)No.9818 of 2018
10.07.2018

TSG