



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 17451 of 2014
and
M.P. (MD) No. 1 of 2014

Servaran

.. Petitioner

Vs.

The District Welfare Officer,
Adi Dravidar and Tribal Welfare Office,
Tirunelveli.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the respondent herein in proceedings No.H4/30904 of 2013 dated 08.07.2013 suspending the petitioner from service and quash the same and consequently direct the respondent to reinstate the petitioner with all back wages and other monetary/attendant benefits.

For petitioner : Mr.B.Jameel Arasu
For respondent : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

The petitioner was working as a sweeper in the Government Adi Dravidar Boys Hostel. The marital relationship between the petitioner and his wife came under strain leading to registration of Crime No.83 of 2013 on the file of the Ambasamuthiram All Women Police Station. He was arrested on 08.07.2013 and remanded to judicial custody. Therefore, the writ petitioner was placed under suspension on 08.07.2013 itself. The writ petitioner questioned the order of suspension by filing this writ petition. This Court granted interim order of stay on 29.10.2014. Pursuant to the said interim order, the writ petitioner was reinstated into service. In fact, the interim order dated 29.10.2014, specifically directed the respondent herein to revoke the suspension order.

2. I went through the contents of the FIR lodged by the writ petitioner's wife. It reads that the writ petitioner has harassed his wife for mobilising funds for discharging some family



liabilities. There was no moral turpitude involved. The criminal case has nothing to do with the official duties of the writ petitioner. In any event, the writ petitioner is presently in service following the earlier direction of this Court.

3. Considering the lapse of time, I am of the view that the earlier direction to revoke the suspension order can be allowed to stand. The proceedings in No.H4/30904 of 2013, dated 08.07.2013 is set aside.

4. The Writ Petition stands allowed, to the extent indicated above. No costs. Consequently, M.P.(MD).No.1 of 2014 is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

The District Welfare Officer,
Adi Dravidar and Tribal Welfare Office,
Tirunelveli.

+ 1 CC TO Mr.B.JAMEEL ARASU, ADVOCATE IN SR No. 40738

KMI

TE/SV-MMS/SAR-4 : 25/01/2018 : 2P/3C

ORDER MADE IN
W.P.(MD)No.17451 of 2014 and
M.P.(MD).No.1 of 2014
05.01.2018