



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.11.2018

CORAM:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

W.P. (MD) No. 22609 of 2018

and

WMP (MD) No. 20492 of 2018

WEB COPY

S.Ramesh

... Petitioner

Vs.

1. The District Collector
Collectorate Building, Dindigul District.

2. The District Revenue Officer,
Office of the District Revenue Officer,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Certiorari calling for the records pertaining to the impugned order of suspension passed by the first respondent vide his Roc.No.17218/2018/A1, dated 06.06.2018 and quash the same as illegal and for other reliefs.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader

ORDER

The writ petition has been filed, seeking to quash the impugned order of suspension passed by the first respondent vide his Roc.No.17218/2018/A1, dated 06.06.2018.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader, takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3.Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4.The writ petitioner herein, who is under suspension for receiving illegal gratification of Rs.15,000/- to issue accident relief fund under the Chief Minister Uzhavar Padhukappu Thittam in favour of the beneficiary by name, Joseph Selvaraj, seeks a writ of certiorari, calling for the records pertaining to the impugned order of suspension, pending disciplinary proceedings. The day of bribe is 05.06.2018. On the same day he has been suspended, pending disciplinary proceedings.



5.The learned Counsel for the petitioner relying upon the judgment reported in **(2015) 7 Supreme Court Cases 291** in the case of **Ajay Kumar Choudhary Vs. Union of India, Through its Secretary and another**, wherein the Hon'ble Supreme Court after considering the facts of the case observed that the currency of a suspension for a long period will affect the dignity and human rights of the public servant and therefore, employer should reinstate him and post him in non-sensitive post.

6.Following this judgment, this Court has also in few cases, has passed similar orders. Whereas in this case, facts being different, this Court finds no reason to give direction to the respondents as prayed. The trap has taken place very recently and criminal investigation is yet to be completed. The authority has rightly suspended the petitioner, so that he will not tamper the records as well as not indulge in similar act. Meanwhile, the petitioner herein, has rushed to this Court by way of writ of certiorari. If this writ petition is entertained, it will send wrong message to the public as well as to the honest officers working in the petitioner office.

7.Hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The District Collector
Collectorate Building, Dindigul District.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Dindigul District.

+1cc to Mr.J.Lawrance, Advocate Sr.No.95042
+1cc to Spl.Government Pleader Sr.No.94957

RM

VB/BK/SAR1/06.12.2018/2P/5C

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