



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.01.2018

CORAM:

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**THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN**

W.P. (MD) No.24120 of 2017  
and

W.M.P. (MD) .Nos.20246 and 20247 of 2017

A.Pandiammal

.. Petitioner

Vs.

1.The District Collector,  
Sivagangai District,  
Sivagangai.

2.The Personal Assistant to District Collector (Noon Meals),  
Sivagangai District,  
Sivagangai`

3.The Commissioner,  
Panchayat Union, Ilayankudi,  
Sivagangai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for records connected with the impugned order of suspension passed by the second respondent dated 10.02.2017 and quash the same and consequently direct the first respondent and second respondent to permit the petitioner to re-join duty with monetary benefits and all other service benefits in the light of the Judgment of this Hon'ble Court reported in (2016) 7 MLJ 766.

For petitioner

: Mr.S.Govindan

For respondents

: Mr.J.Gunaseelan Muthiah

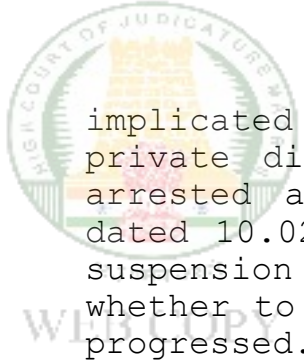
Additional Government Pleader

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O R D E R

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Heard the Counsel on either side.



implicated in a criminal case that was registered in view of some private dispute. Citing the same, the writ petitioner was also arrested and remanded to judicial custody. Therefore, by order dated 10.02.2017, the writ petitioner was suspended. The order of suspension cannot be said to be incorrect. But the question is whether to continue the suspension. The criminal case also has not progressed.

3. The said case has nothing to do with the official discharge of the duties by the writ petitioner. The disciplinary authority has also not chosen to issue charge memo on the writ petitioner. Almost, one year is going to be over. By keeping the writ petitioner under suspension no purpose will be served.

4. This Court directs the second respondent to revoke the suspension and pass appropriate order and reinstate the writ petitioner into service. Such an order shall be passed within a period of two weeks from today.

5. This Writ petition is allowed as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To:

1.The District Collector,  
Sivagangai District,  
Sivagangai.

2.The Personal Assistant to District Collector (Noon Meals),  
Sivagangai District,  
Sivagangai`

3.The Commissioner,  
Panchayat Union, Ilayankudi,  
Sivagangai District.

+One cc to Mr.S.Govindan, Advocate, SR.No.42436

+One cc to The Special Government Pleader, SR.No.42653

kmi

RL/6C/2P/MR/SAR1/25/1/2018

ORDER MADE IN  
W.P. (MD) No.24120 of 2017