



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.07.2019

CORAM:
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.18874 of 2019

T.Srinivasan

.. Petitioner

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 3.
- 2.The Regional Deputy Commissioner (South),
Greater Chennai Corporation,
Regional Office (South), Chennai.
- 3.The Zonal Officer, Zone-14,
Greater Chennai Corporation,
Puzhidiyakkam,
Chennai 91.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking to issue a Writ of Certiorarified Mandamus, calling for the records and quashing the impugned order dated 14.06.2017 of the 2nd respondent vide RDC(S) C.No.A2/2716/2017 suspending the petitioner with effect from 06.06.2017 and consequently, direct the respondents to reinstate the petitioner as a Tax Collector in any non-sensitive post in the Revenue Department within time frame.

For Petitioner : Mr.K.Ravi Anantha Padmanaban

For Respondents : Ms.Karthika Ashok

O R D E R

The present Writ Petition is filed seeking to issue a Writ of Certiorarified Mandamus, calling for the records and quashing the impugned order dated 14.06.2017 of the 2nd respondent vide RDC(S)C.No.A2/2716/2017 suspending the petitioner with effect from 06.06.2017 and consequently, direct the respondents to reinstate the petitioner as a Tax Collector in any non-sensitive post in the Revenue Department within time frame.

2.According to the petitioner, he was suspended by the order dated 14.06.2017 with effect from 06.06.2017. The suspension continued almost for two years. As per G.O.Ms.No.40 P & A.R. Department, dated 30.01.1996, no suspension shall



continue beyond six months. The Hon'ble Apex Court in the judgment reported in (2015) 7 SCC 291[Ajay Kumar Choudhary Vs. Union of India and another] and in Civil Appeal Nos.8427-8428 of 2018, held that "suspension of an employee shall not exceed three months if no charge sheet is filed or charge memo is not issued" and prayed for allowing the Writ Petition.

3.Heard the learned counsel appearing for the petitioner as well as the respondents and perused the materials available on record.

4.From the averments in the affidavit, it is seen that the charge memo dated 03.10.2018 was issued by the Department containing three charges against the petitioner and at his request, the documents relied on by the respondents were also furnished to him. In view of the above, the Writ Petition is dismissed, directing the respondents to complete the Disciplinary Enquiry against the petitioner within a period of four months from the date of receipt of a copy of this order. The petitioner is directed to cooperate to complete the enquiry within the time limit fixed by this Court.

5.Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

gsa

To

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai 3.
- 2.The Regional Deputy Commissioner (South),
Greater Chennai Corporation,
Regional Office (South), Chennai.
- 3.The Zonal Officer, Zone-14,
Greater Chennai Corporation,
Puzhividivakkam, Chennai 91.

+1cc to M/s.Karthikaa Ashok, Advocate, S.R.No.55777

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NR(CO)
RRS(02/08/2019)