

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.24168 of 2019

and

W.M.P.Nos.23948 & 23949 of 2019

R.Kannan

... Petitioner

Vs.

The Engineer-in-Chief (Buildings)

& Chief Engineer (Buildings)

Chennai Region & Chief Engineer (General)

Public Works Department

Chepauk, Chennai-5

... Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the respondent in connection with the impugned order passed by him in Proc.No.CII(3)/07464/2013-1 dated 31.07.2013 and Letter No.CII(3)/7464/2013-5 dated 26.03.2014 and quash the same.

For Petitioners : Mr.K.Venkatramani, Sr. Counsel
for M.MMuthappan
For Respondent : Mr.A.N.Thambidurai, Spl. GP

O R D E R

By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The learned Senior counsel appearing for the petitioner would submit that the petitioner was alleged to have been involved in the Prevention of Corruption Act, for which, the petitioner was placed under suspension on 31.07.2013. Even today, no disciplinary proceedings have been initiated against the petitioner. The petitioner is under prolonged suspension for more than 6 years. Hence, the petitioner made a representation on 12.11.2013 to the respondent to reinstate him into service. The respondent by impugned order dated 26.03.2014 has rejected the claim of the petitioner on the ground that the revocation of suspension will be considered only on the basis of the outcome of the case in Cr.No.5/2013 u/s.7 of the Prevention of Corruption Act registered by the Cuddalore Detachment of the V & AC against the petitioner and final orders will be passed thereon by the competent authority.

3.The learned counsel for the petitioner would further submit that it would suffice if a direction is issued to the respondent to consider the representation dated 12.11.2013 made by the petitioner, within a reasonable time fixed by this Court.

4.Thus, without going into the merits of the case, this Court is inclined to direct the respondent to consider the representation of the petitioner. The petitioner shall give a fresh representation to the respondent along with a copy of this order within a period of two weeks. Thereafter, the respondent shall consider the representation and pass appropriate orders in accordance with law within a period of 12 weeks.

5.With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

// True Copy//

Sub Assistant Registrar

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To

The Engineer-in-Chief (Buildings)
& Chief Engineer (Buildings)
Chennai Region & Chief Engineer (General)
Public Works Department
Chepauk, Chennai-5.

+1cc to Mr.M.Muthappan, Advocate, SR.No.95192.
+1cc to Government Pleader, SR.No.95586.

W.P.No.24168 of 2019

MP (CO)
CSR(13/12/2019)

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