

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2019

CORAM

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.A. No. 1011 of 2017

V.Kolanji

... Appellant

Vs.

The Secretary to the Government
Public Department, Secretariat
Chennai.

.... Respondent

Appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 05.07.2017 made in W.P. No. 7817 of 2017, filed for issuance of a Writ of Certiorarified Mandamus, to call for the records vide G.O.No.817 dated 07.10.2016 by the respondent and quash the same and consequently direct the respondent to consider the petitioner's representation dated 21.03.2017.

For Appellant : M/s.S.Arivazhagan

For Respondent : Mrs.A.Srijeyanthi
Special Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.)

The appellant has unsuccessfully challenged the order of suspension dated 07.10.2016 before the learned Single Judge. The present appeal is filed against the order dated 05.07.2017 in W.P. No.7817 of 2017.

2.The challenge before the writ court was the order dated 07.10.2016 confirming the suspension of the appellant on account of the pendency of the case in Crime No. 395 of 2016, registered under Sections 406 and 420 of the Indian Penal Code.

3.There is no question of quashing the order of suspension without giving an opportunity to the concerned authority to review the order. The learned Single Judge dismissed the writ

petition only on the ground of pendency of criminal proceedings.

4.We direct the respondent to conduct a review of the suspension of the appellant taking into account the order dated 07.10.2016 and the present position of the criminal case. Such exercise shall be completed on or before 30th April 2019.

5.The intra court appeal is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

may

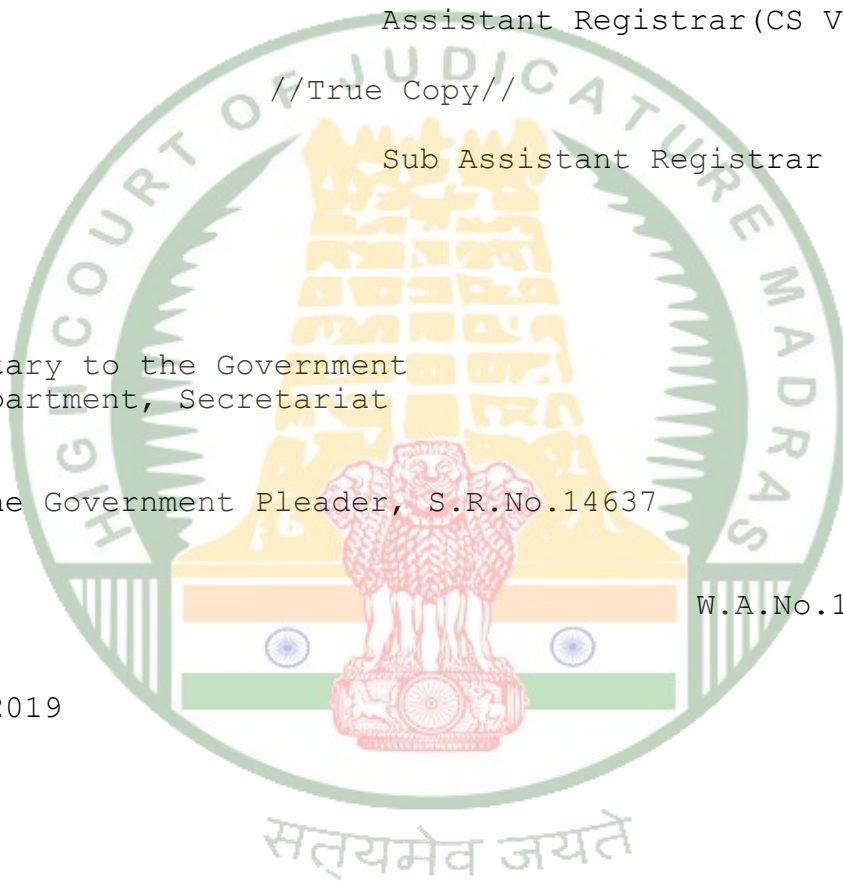
To

The Secretary to the Government
Public Department, Secretariat
Chennai.

+1cc to the Government Pleader, S.R.No.14637

W.A.No.1011 of 2017

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