

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27898 of 2019
and W.M.P.No.27473 of 2019

A.Shankar

..Petitioner

vs

1.The Director
Department of Survey and Settlement
Chepauk, Chennai-600 005.

2.The Assistant Director
Department of Survey and Land Records
Kanchipuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order of the 2nd respondent in his proceedings in R.C.No.C2/5797/2018, dated 04.08.2018, quash the same and consequently, direct the respondents herein to permit the petitioner herein to rejoin duty as Sub-Inspector of Survey with all attendant and consequential benefits.

For Petitioner : Mr.D.Ravichander

For Respondents : Ms.M.Lalitha
Government Advocate

O R D E R

Writ Petition is filed challenging the impugned order of the 2nd respondent in his proceedings in R.C.No.C2/5797/2018, dated 04.08.2018 and consequently, directing the respondents to permit the petitioner to rejoin duty as Sub-Inspector of Survey with all attendant and consequential benefits.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner was posted as Sub-Inspector of Survey at Municipal Office, Kanchipuram. A criminal case in Crime No.7/AC/2018/KM has been registered against the petitioner for the offences under Sections 7 and 13(2) read with 13(1)(d) of the Prevention of Corruption Act on 02.08.2018. Immediately thereafter, the petitioner was placed under suspension on 04.08.2018. The suspension order was not revoked and therefore, the petitioner made a representation dated 04.07.2019 to the 2nd respondent. However, till date, the 2nd respondent has not revoked the suspension order. Hence, the present writ petition.

4. The learned counsel for the petitioner submitted that the petitioner was suspended from service for a long time. Therefore, it would suffice, if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 04.07.2019 for revocation of suspension order on the ground of prolonged suspension.

5. Considering the limited request made by the petitioner, this Court hereby directs the 2nd respondent to consider the petitioner's representation dated 04.07.2019 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Kj

To

1. The Director
Department of Survey and Settlement
Chepauk, Chennai-600 005.

2.The Assistant Director
Department of Survey and Land Records
Kanchipuram District.

+1cc to Mr.D.Ravichander, Advocate SR.81423
+1cc to the Government Pleader SR.81545

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RSI (CO)
CB(12/11/2019)



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