



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No. 35059 of 2019
and W.M.P.No. 35847 of 2019

Madhu

...Petitioner

Vs.

1.The Divisional Engineer,
Highways Department (C & M),
Krishnagiri.

2.The Assistant Engineer,
Highways Department (C & M),
Mathur, Krishnagiri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus, calling for the entire records of the impugned order passed by the 1st respondent in his proceedings Se.Mu.Ka.No.152/2019/B3 dated 15.02.2019 and quash the same thereby direct the respondent to reinstate the petitioner with all the arrears of salary and attendant benefits.

For Petitioner : Mr.V.Jeevagiridharan

For Respondents : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader.

O R D E R

This writ petition has been filed challenging the suspension order issued against the petitioner by the first respondent through proceedings dated 15.02.2019.

2. It is seen from the records that the petitioner was working in the Highways Department as a road worker. A criminal case came to be registered against him in Crime No.63 of 2019 and the petitioner was arrested and remanded to judicial custody. In view of the same, the suspension order came to be issued against the petitioner on 15.02.2019 pending grave criminal charges.

3. The grievance of the petitioner is that the petitioner has been kept under prolonged suspension till date and the petitioner has already made a representation for revocation of the suspension order and the same has not been considered by the



respondents. Therefore, the present writ petition has been filed challenging the suspension order.

4. Heard Mr.Jeevagiridharan, learned counsel appearing on behalf of the petitioner and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader appearing on behalf of the respondents.

5. This Court is not inclined to interfere with the suspension order. However, the petitioner has already made a representation to the respondents requesting for revocation of the suspension, in view of the prolonged suspension. This representation can be directed to be considered by the respondents by taking into consideration of the facts and circumstances of the case and in accordance with law.

6. In the result, there shall be a direction to the first respondent to consider the representation made by the petitioner on 07.11.2019 and pass appropriate orders strictly in accordance with law within a period of four(4) weeks from the date of receipt of copy of this order. The petitioner is directed to give a fresh representation to the first respondent along with a copy of the representation dated 07.11.2019 and a copy of this order.

7. This writ petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To:

1.The Divisional Engineer,
Highways Department (C & M), Krishnagiri.

2.The Assistant Engineer,
Highways Department (C & M),
Mathur, Krishnagiri District.

+1cc to M/s.V.Jeevagiridharan, Advocate SR.No.105898
+1cc to The Government Pleader Sr.No.106713

AKM/08.01.2020 /2P-5C/

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