



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.04.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

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W.P (MD) No.10853 of 2019

S. Ramesh

... Petitioner

Vs.

1. The District Collector,
Collectorate Office,
Dindigul District.

2.The District Revenue Officer,
O/o. The District Revenue Officer,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to revoke the order of suspension passed against the petitioner by proceedings in Roc.No.17218 / 2018 / A1, dated 06.06.2018 by considering his representation dated 22.02.2019 within the time stipulated by this Court.

For Petitioner : Mr.J. Lawrance

For Respondents : Mr.C.M. Mari Chellaiah Prabhu
Additional Government Pleader

ORDER

This writ petition is filed seeking to direct the 2nd respondent to revoke the order of suspension passed against the petitioner by proceedings in Roc.No.17218 / 2018 / A1, dated 06.06.2018, by considering his representation dated 22.02.2019, within the time stipulated by this Court.

2. Mr. C.M. Marichellaiah Prabhu, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that on account of false criminal case registered against him, he was placed under suspension by proceedings, dated 06.06.2018. Hence, seeking appropriate direction to the 2nd respondent for revocation of suspension order and for reinstatement of the petitioner into service, in line with the Judgment of the Hon'ble Supreme Court in



the case of **Ajaykumar Choudhary Vs. Union of India and another** reported in **2015(7) SCC 291**, he submitted a representation dated 22.02.2019 to the second respondent and the same is pending without any action. Therefore, the petitioner is before this Court.

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4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents, who submitted that the representation of the petitioner would be considered by the second respondent, on merits and as per law.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner dated 22.02.2019, on merits and in accordance with law and also in the light of the decision in *Ajaykumar Choudhary's* case, (supra) and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner.

6. This Writ Petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Collectorate Office,
Dindigul District.

2. The District Revenue Officer,
O/o. The District Revenue Officer,
Dindigul District.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-64402[F] dated 30/04/2019)

+1 CC to M/s.SPL GP (SR-64917[F] dated 02/05/2019)

trp/rk

W.P(MD)No.10853 of 2019
29.04.2019