



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P[MD]No.12866 of 2019

WEB COPY

C.Kaleeswaran

... Petitioner

Vs.

1.The District Collector,
O/o. Collectorate Campus,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Sivagangai District, Sivagangai.

3.The Thasildar,
O/o. Thasildar,
Kalayarkoil Taluk,
Sivagangai District,
Sivagangai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to revoke the suspension of the petitioner and reinstate the petitioner in the post of Village Assistant by considering the representation of the petitioner dated 30.03.2019 in the light of the judgment of the Hon'ble Supreme Court in Ajay Kumar Choudhary Vs. Union of India reported in (2015) 7 SCC 291 within the time period stipulated by this Court.

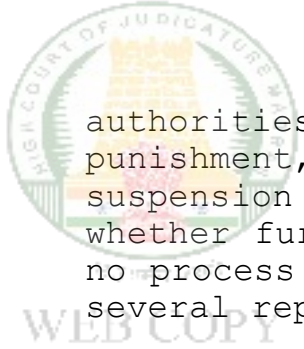
For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.Aayiram K.Selvakumar,
Additional Government Pleader

ORDER

The order of suspension dated 01.12.2017, is under challenge in the present writ petition. The impugned order of suspension was issued placing the writ petitioner who was holding the post of Village Assistant under suspension on the ground that an enquiry into grave charges against the writ petitioner is contemplated.

2.The learned Counsel for the writ petitioner states that the charge memo has already been issued. Thus, the continuance of suspension may not be necessary. This Court is of an opinion that an order of suspension is to be revised periodically by the competent



authorities. Suspension being an interim arrangement and not a punishment, the authorities competent must ensure that the orders of suspension are renewed atleast once in six months, so as to review whether further suspension is required or not. In the present case, no process has been taken so far. The writ petitioner has submitted several representations on 09.01.2018 and 30.03.2019.

3.Thus, the respondents are directed to review the order of suspension by considering the representations submitted by writ petitioner and pass appropriate orders within a period of six [6] weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representations and all other relevant documents along with a copy of this order.

4.Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.side)

/ True Copy /

Sub Assistant Registrar(CS-)

MR

To

1.The District Collector,
O/o. Collectorate Campus,
Sivagangai District,
Sivagngai.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Sivagangai District, Sivagangai.

3.The Thasildar,
O/o. Thasildar,
Kalayarkoil Taluk,
Sivagangai District,
Sivagangai.

+1 CC to M/s.T.LAJAPATHI ROY,Advocate(SR-67325[F] dated 07/06/2019)

+1 CC to M/s.SPL GP (SR-67418[F] dated 07/06/2019)

W.P[MD]]No.12866 of 2019

06.06.2019