



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.04.2019

CORAM:

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

WP (MD) No.2493 of 2019

Nagaraj

... Petitioner

Vs.

1.The District Collector,
and Inspector of Panchayats,
Dindigul District,
Collectorate,
Dindigul.

2.The Additional Director,
Town Panchayats,
Dindigul Division,
Dindigul.

3.The Executive Officer,
Ayyampalayam Town Panchayat,
Ayyampalayam - 624 204,
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 1st respondent to revoke petitioner's suspension considering his representation dated 10.12.2018 .

For Petitioner : Mr.R.Narayanan
For Respondent : Mr.S.Angappan,
Nos.1 and 2 Government Advocate
For Respondent :Mr.M.Pandiarajan
No.3

ORDER

This writ petition has been filed seeking to direct the 1st respondent to revoke the petitioner's suspension by considering his representation dated 10.12.2018 .

2.The case of the petitioner is that on account of registration a false criminal case against him, he has been placed under suspension by proceedings dated 22.11.2018 by the 1st respondent. Subsequently, the petitioner submitted a representation to the respondents to revoke his suspension. Due to non consideration of his representation, the petitioner is before this Court.



3.The learned Counsel for the petitioner now submitted that the petitioner's representation be directed to be considered in the light of the judgment of the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary Vs Union of India and another**, reported in **(2015) 7 SCC 291**.

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4.Such a prayer is agreed by the learned Counsel appearing for the respective respondents, who in turn, submitted that the representation of the petitioner would be considered accordingly.

5.Under such 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 respondents to consider the petitioner's representation dated 10.12.2018, on merits and in accordance with law and also in the light of the decision in **Ajay Kumar Choudhary's** case, pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar (CS)

dsk

To

1.The District Collector,
and Inspector of Panchayats,
Dindigul District, Collectorate, Dindigul.

2.The Additional Director,
Town Panchayats, Dindigul Division, Dindigul.

3.The Executive Officer,
Ayyampalayam Town Panchayat,
Ayyampalayam - 624 204, Dindigul District.

+1CC TO MR.R.NARAYANAN, Advocate Sr. No. 59414

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 59561

ORDER MADE IN
WP (MD) No.2493 of 2019
04.04.2019