



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :26.02.2019

CORAM:

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

WEB COPY

WP (MD) No.3031 of 2019

and

WMP (MD) No.2255 of 2019

Baskara Pandi

... Petitioner

Vs.

The Dean,

Madurai Rajaji Government Medical College Hospital,

Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent pertaining to his proceedings in Na.ka.No.24656/Ni4/1/2018, dated 25.10.2018 and to quash the same and consequently, to direct the respondent to revoke the suspension by considering the petitioner's representation, dated 02.11.2018 within a time frame that may be fixed by this Court.

For Petitioner

: Mr.S.C.Herold Singh

For Respondent

: Mr.V.Anand,

Government Advocate

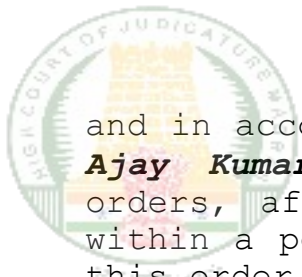
ORDER

This writ petition has been filed seeking to quash the proceedings in Na.ka.No.24656/Ni4/1/2018, dated 25.10.2018 and consequently, to direct the respondent to revoke the suspension by considering the petitioner's representation, dated 02.11.2018.

2.The case of the petitioner is that on account a false criminal case registered against him, he has been placed under suspension by proceedings dated 25.10.2018 and challenging the same, the petitioner is before this Court.

3.After some arguments, the learned Counsel for the petitioner confined the prayer, to the effect that the representation of petitioner be considered in line with 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**, and such a prayer is agreeable to the learned Government Advocate appearing for the respondent, who in turn submitted that the representation of the petitioner would be considered accordingly.

4. Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 02.11.2018, on merits



and in accordance with law and also in the light of the decision in **Ajay Kumar Choudhary's** case, cited supra and 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.

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5.The writ petition is disposed of, on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar

To

The Dean,
Madurai Rajaji Government Medical College Hospital,
Madurai.

1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-49892[F] dated
26/02/2019)

+1 CC to M/s.SPL GP (SR-50685[F] dated 28/02/2019)

ORDER MADE IN

WP(MD)No.3031 of 2019

26.02.2019

DS/ /SAR- (15.03.2019) 2P 4C