



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P (MD) No. 3275 of 2019

and

WMP (MD) No. 2569 of 2019

S. Karthika

.. Petitioner

Vs.

1. The Commissioner of Municipal Administration,
Chennai - 5.

2. The Regional Director of Municipal Administration,
Tirunelveli - 2.

3. The Commissioner,
Rajapalayam Municipality,
Virudhunagar
District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the 3rd respondent in his proceedings in ROC.No.200/C1/2018 dated 23.01.2018 and quash the same as illegal, arbitrary, violation of law and further direct the respondents to reinstate the petitioner in service along with all back wages within the stipulated period which this Court may deem fit and proper.

For Petitioner : Mr. M. Jothibas

For R1 & R2 : Mr. Aayiram K. Selvakumar
Additional Government Pleader

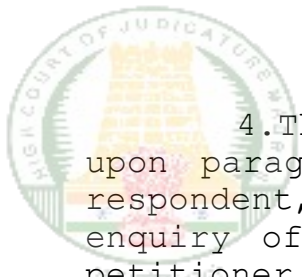
For R3 : Mr. N. Dilipkumar

ORDER

This writ petition has been filed challenging the order of suspension passed by the third respondent in ROC.No.200/C1/2018 dated 23.01.2018 and consequently direct the respondents to reinstate the petitioner in service along with all back wages.

2. Heard the submissions made by the learned counsel on either side.

3. According to the petitioner she was working as Revenue Assistant in the third respondent Municipality. While so, she was suspended from service based on the allegation of demanding bribe. Challenging the same, this writ petition has been filed.



4.The learned counsel appearing for the petitioner relying upon paragraph - 8 of the counter affidavit filed by the third respondent, submitted that the third respondent has appointed an enquiry officer to enquire into the charges levelled against the petitioner herein and enquiry was completed and report is awaited.

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5.The learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Standing Counsel appearing for the third respondent submitted that since the allegation against the petitioner is with respect to DV & AC, after receipt of enquiry report, the same should be sent to the first respondent for getting appropriate orders to proceed further and thereafter only the third respondent has to pass orders based on the enquiry report.

6.In view of the above submission, after receipt of the enquiry report, the third respondent is directed to send the report to the first respondent and get orders to proceed with the case and on receipt of orders from the first respondent, the third respondent is directed to pass final orders based on the enquiry report as expeditiously as possible, preferably within a period of six months from the date of receipt of orders from the first respondent.

7.The Writ Petition is disposed of with the above direction. No costs. Consequently, WMP(MD)No.2569 of 2019 is closed.

Sd/-

Assistant Registrar (A.E)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Commissioner of Municipal Administration,
Chennai - 5.

2.The Regional Director of Municipal Administration,
Tirunelveli - 2.

+1 CC to M/s.G.M.LAW OFFICE, Advocate SR-72052.

W.P(MD)No.3275 of 2019
26.06.2019

CS: (09/07/2019) 2P 4C