



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

WEB COPY

W.P(MD)No.906 of 2019 and
WMP(MD) .Nos.736 and 737 of 2019

G. Ravindran

... Petitioner

Vs.

The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

... Respondents

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 relating to the impugned order of suspension dated 17.11.2017 passed by the respondent vide his proceedings in ROC. No.27462/2017/V2 and quash the same and consequently, direct the respondent to reinstate the petitioner in service with all service and monetary benefits to him.

For Petitioner : Mr. J. Parekhkumar

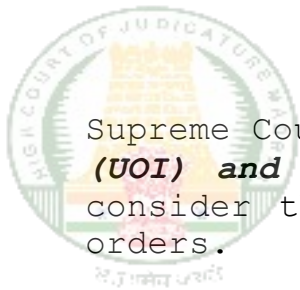
For Respondent : Mr. Aayiram K. Selvakumar
Additional Government Pleader

ORDER

This writ petition has been filed to quash the impugned order of suspension, dated 17.11.2017 passed by the respondent vide his proceedings in ROC.No.27462/2017/V2 and consequently, direct the respondent to reinstate the petitioner in service with all service and monetary benefits to him.

2. According to the petitioner, while he was working as Municipal Engineer in Sivakasi Municipality placed under suspension, based on the criminal case registered against him in Crime No. 8 of 2017, for the offence punishable under Section 7 of Prevention of Corruption Act, 1988, by the Inspector of Police, Vigilance and Anti Corruption, Virudhunagar. In such circumstances, the petitioner has made representation to the respondent on 10.12.2018, but, so far, no order has been passed. Hence, the petitioner has come forward with the present Writ Petition.

3. The learned counsel appearing for the petitioner submitted that till date no charge sheet has been filed and no charges have been framed against the petitioner. He would further submit that in the light of judgment rendered by the Hon'ble



Supreme Court in the case of **Ajay Kumar Choudhary Vs. Union of India (UOI) and others** reported in **2015 (3) CTC 119**, the respondent may consider the representation of the petitioner and pass appropriate orders.

4. The learned Additional Government Pleader appearing for the respondent would submit that respondent will consider the representation of the petitioner in the light of the aforesaid Judgment of the Hon'ble Supreme Court, within the time frame to be fixed by this Court.

5. By considering the submissions made on both sides, this Court, directs the respondent to consider the petitioner's representation, dated 10.12.2018 and pass appropriate orders, by taking note of the orders passed in the Judgment of the Hon'ble Supreme Court reported in **2015 (3) CTC 119, (Ajay Kumar Choudhary Vs. Union of India (UOI) and others)**, within a period of twelve weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of, with the above direction. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To
The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

+1 CC to M/s.J.PAREKH KUMAR, Advocate SR-80475.

**W.P(MD)No.906 of 2019 and
WMP(MD) .Nos.736 and 737 of 2019**

CS(03.09.2019) 2P 4C