



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.15707 of 2019

and

W.M.P. (MD) Nos.12398, 12402 and 12404 of 2019

C.Mohan

... Petitioner

Vs.

Madurai Corporation,
represented by its Commissioner,
O/o. the Commissioner,
Madurai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Ma.Ni.13/27188/18 dated 17.10.2018 on the file of the respondent and quash the same as illegal and consequently for a direction, directing the respondent to reinstate the petitioner in the post of Sanitary Worker.

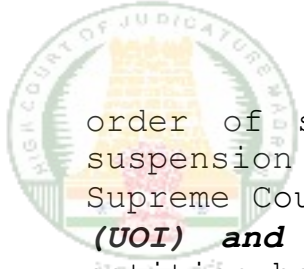
For Petitioner : Mr.Ashwin Rajasimman for
Mr.T.Lajapathi Roy

For Respondent : Mr.T.S.Mohammed Mohideen
Standing Counsel

ORDER

This Writ Petition has been filed to quash the order dated 17.10.2018 passed in Ma.Ni.13/27188/18 by the respondent and to direct the respondent to reinstate the petitioner into service.

2.The learned counsel for the petitioner would submit that the petitioner was appointed as Sanitary Worker. In the meantime, a case in Cr.No.547 of 2018 has been registered against the petitioner. Pursuant to the criminal case, the petitioner was placed under suspension by the respondent by order dated 17.10.2018. After that, the respondent did not frame any charge against the petitioner till date. Hence, the petitioner made a representation on 25.02.2019, 30.04.2019 and 07.06.2019 to the respondent to quash the order of suspension and to reinstate him into service, but till date no action has been taken. Hence, challenging the impugned



order of suspension dated 17.10.2018 on the ground of prolonged suspension and 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 present writ petition has been filed.

3.In reply, the learned Standing Counsel appearing for the respondent would submit that the said representation of the petitioner dated 07.06.2019 would be considered as expeditiously as possible on merits and in accordance with law.

4.In the light of the above said submission made by the learned Standing Counsel, this Court directs the respondent to consider the petitioner's representation dated 07.06.2019 and take a decision, in the light of the decision of the Hon'ble Supreme Court in **Ajay Kumar Choudhary Vs. Union of India (UOI) and others** reported in **2015 (3) CTC 119**, within a period of four weeks from the date of receipt of a copy of this order.

5.This Writ Petition is disposed of, with the above direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P&A)

/ True Copy /

Sub Assistant Registrar(CS-)

To

The Commissioner,
Madurai Corporation,
Office of the Commissioner,
Madurai.

+1 CC to M/s.T.S.MOHAMED MOHIDHEEN, Advocate
(SR-75383[F] dated 16/07/2019)

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16.07.2019

ES/25.07.2019/2P/3C