



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2019

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD) No.4951 of 2017

and

WMP(MD)No.3986 of 2017

Muniappan

... Petitioner

vs.

The Tahsilar,
Manmangalam Taluk,
Karur District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari calling for the records relating to the impugned order of suspension passed by the respondent in his proceedings R.C.No.A3/4868/2016 dated 06.12.2016 and quash the same as illegal.

For Petitioner : Mr.V.P.Rajan

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

O R D E R

This writ petition has been filed seeking to quash the impugned order of suspension passed by the respondent in his proceedings in R.C.No.A3/4868/2016 dated 06.12.2016.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondent.

3.The learned counsel for the petitioner submitted that the petitioner was placed under suspension by the impugned order dated 06.12.2016 based on a criminal case registered against him and in order to revoke the same, the petitioner submitted a representation 28.02.2017 to the respondent. Since no action is forthcoming till date, the petitioner is before this Court, seeking the aforesaid relief.

4.The learned counsel further relied upon the decision rendered by the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary vs. Union of India** reported in (2015) 7 SCC 29 and submitted that prolonged suspension is not valid in law and therefore, the order of suspension requires interference by this Court.



5.Per contra, the learned Additional Government Pleader appearing for the respondent would submit that charge sheet has already been filed and the same is pending before the concerned jurisdictional Court.

6.In view of the submissions made on either side, this Court, without expressing any opinion on the merits of the matter, directs the respondent to consider the petitioner's representation dated 28.02.2017 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of with the above direction. No costs. Consequently, WMP(MD)No.3986 of 2017 is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

The Tahsilar,
Manmangalam Taluk,
Karur District.

+1CC TO MR.V.P.RAJAN, Advocate Sr. No.69711

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 69600

W.P(MD) No.4951 of 2017

17.06.2019

SVN(CO)

TR (25.06.2019) 2P 4C