



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

WP (MD) No.16694 of 2016 and

WMP (MD) .No. 12148 of 2016

PL.Veerappan

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Personal Assistant (Development),
to the District Collector,
Sivagangai,
Sivagangai District.

3.The Block Development Officer,
Devakottai Panchayat Union,
Devakottai,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 2nd respondent in Na.Ka.No.R2/7156/2016, dated 20.04.2016 of suspension and quash the same.

For Petitioner	: Mr. A.L. Kannan
For R1 and R2	: Mr.M. Pandiarajan Additional Government Pleader
For R3	: Mr. Aayiram K. Selvakumar Additional Government Pleader

ORDER

This Writ Petition has been filed seeking to call for the records relating to the impugned proceedings issued by the 2nd respondent in Na.Ka.No.R2/7156/2016, dated 20.04.2016 and quash the same.

2. According to the petitioner, due to previous enmity between the family members, a criminal case was registered against the petitioner in Crime No. 76 of 2016, on the file of the Thirvegampathur Police Station, for the offences under Section 294(b), 323 IPC and Section 4 of Tamil Nadu Women Harassment Act, and subsequently, he was arrested and remanded to judicial custody on 07.04.2016. In view of the case registered against the petitioner, he was placed under suspension by the second respondent. Pursuant to the interim order passed by this Court dated 02.09.2016, the petitioner was reinstated into service.



3. The learned Additional Government Pleader appearing for the 3rd respondent would submit that the criminal case against the petitioner is still pending before the learned Judicial Magistrate, Devakottai.

4. I have heard the learned counsel appearing on either side and perused the materials available on record.

5. Considering the facts and circumstances of the case and also considering the fact that a criminal case is pending for the past four years, I am of the opinion that no useful purpose would be served by keeping the matter is pending. Hence, the impugned order passed by the 2nd respondent, dated 20.04.2016 is liable to be quashed and accordingly, the impugned order is quashed. If so necessary, the 2nd respondent may pass fresh suspension order.

6. In the result, this Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Personal Assistant (Development),
to the District Collector,
Sivagangai,
Sivagangai District.

3.The Block Development Officer,
Devakottai Panchayat Union,
Devakottai,
Sivagangai District.

+1 CC to M/s.AL.KANNAN, Advocate (SR-70350[F] dated 21/06/2019)

+1 CC to M/s.SPL GP (SR-70682[F] dated 21/06/2019)

TRP

WP(MD)No.16694 of 2016 and
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