



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2019

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WEB COPY

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.17922 of 2019

A.Samuel Gnanam

...Petitioner

Vs.

1.The Deputy Inspector General of Police,
Tiruchirapalli Range,
Tiruchirapalli District.

2.The Superintendent of Police,
o/o Superintendent of Police,
Tiruchirapalli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to review the suspension orders passed by the first respondent in R.O.No.337/2011, C.NO.B1/12548/2011 dated 26.11.2011 and revoke the same and re-instate the petitioner with all consequential service and monetary benefits in the interest of justice, within the time frame fixed by this Court.

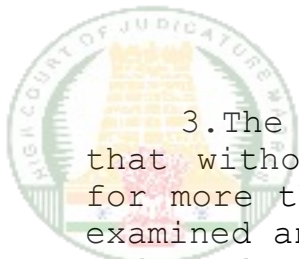
For Petitioner : Mr.A.Edwin Prabakar

For Respondents : Mr.M.Pandiarajan
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the first respondent to review the suspension orders passed by the first respondent in R.O.No.337/2011, C.NO.B1/12548/2011 dated 26.11.2011, to revoke the same and to re-instate the petitioner into service with all consequential service and monetary benefits.

2.According to the petitioner, while he was working as Inspector of Police in Somarasampettai Police Station, a case in Cr.No.30 of 2011 has been registered against him. Pursuant to the criminal case, he was placed under suspension by the first respondent by order dated 26.11.2011.



3.The learned counsel appearing for the petitioner would submit that without any progress, the aforesaid criminal case is pending for more than 6 years and only witness of sanctioning authority was examined and till date, defacto complainant and other witnesses like Independent Witnesses and Investigating Officers were not examined. Accordingly, on 13.03.2019, the petitioner sent a representation to the first respondent to review the suspension order, but till date, no action has been taken. Hence, challenging the impugned order of suspension dated 26.11.2011 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.

4.In reply, the learned Additional Government Pleader appearing for the respondents would submit that the said representation of the petitioner dated 13.03.2019 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In the light of the above said submission made by the learned Additional Government Pleader, this Court directs the first respondent to consider the petitioner's representation dated 13.03.2019 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 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.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

To

1.The Deputy Inspector General of Police,
Tiruchirapalli Range, Tiruchirapalli District.

2.The Superintendent of Police, o/o Superintendent of Police,
Tiruchirapalli District.

+1 CC to M/s.A. EDVIN PRABHAR., Advocate (SR-83054[F] dated 22/08/2019
+1 CC to M/s.SPL GP (SR-83293[F] dated 26/08/2019)

W.P. (MD) No.17922 of 2019
22.08.2019

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