



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2019

CORAM

WEB COPY

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

W.P. (MD) No.7440 of 2017

and

W.M.P. (MD) No.5830 of 2017

R.Ramkumar

...Petitioner

Vs.

The Chief Educational Officer,
Office of the Chief Educational Officer,
Panagal Building, Tanjore.

...Respondent

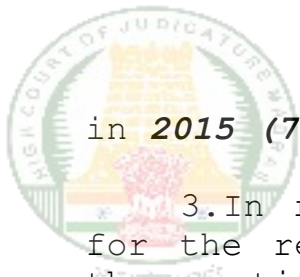
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to revoke the suspension of the petitioner in the light of the order passed by the Honourable Supreme Court in Ajay Kumar Choudhary vs Union of India, reported in (2015) 7 SCC 291, within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mrs.S.Srimathy
Special Government Pleader

ORDER

This Writ Petition has been filed to direct the respondent to revoke the suspension order of the petitioner dated 19.09.2016.

2.The learned counsel for the petitioner would submit that the petitioner was appointed as Teacher and subsequently, he was promoted as P.G.Assistant (Commerce). Based on the complaint given by one Kamaraj, a case in Cr.No.224 of 2016 has been registered against the petitioner. Pursuant to the criminal case, the petitioner was placed under suspension by the respondent by order dated 19.09.2016. After that, the respondent did not frame any charge against the petitioner till date. Hence, the petitioner made a representation on 12.01.2017 to the respondent to quash the order of suspension, but till date no action has been taken. Hence, challenging the impugned order of suspension dated 19.09.2016 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 (7) SCC 291**, the present writ petition has been filed.

3. In reply, the learned Special Government Pleader appearing for the respondent would submit that the said representation of the petitioner dated 12.01.2017 would be considered as expeditiously as possible on merit and in accordance with law.

4. In the light of the above said submission made by the learned Special Government Pleader, this Court directs the respondent to consider the petitioner's representation dated 12.01.2017 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 (7) SCC 291**, within a period of twelve 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 petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

The Chief Educational Officer,
Office of the Chief Educational Officer,
Panagal Building, Tanjore.

+1 CC to Mr. T. LAJAPATHI ROY, Advocate (SR-74420[F] dated 10/07/2019)

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