



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2019

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

W.P. (MD) No.7466 of 2017

and

W.M.P. (MD) Nos.5848 and 5849 of 2017

Sahaya Mari

...Petitioner

Vs.

1.The District Collector,
Tirunelveli District, Tirunelveli.

2.The District Child Development Project Officer,
District Collector's Campus,
Tirunelveli, Tirunelveli District.

3.The Block Development Officer,
Valliyoor Panchayat Union,
Valliyoor, Radhapuram Taluk,
Tirunelveli District.

...Respondents

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 suspension order made by the 1st respondent in Se.Mu.Na.Ka.No.1227/A1/2016, dated .10.2016 and quash the same as illegal and consequently, to direct the respondents to reinstate the petitioner in regular job as Anganwadi Worker at Perunkaliapuram, Valliyoor Panchayat Union, Radhapuram Taluk, Tirunelveli Taluk with all monitory benefits.

For Petitioner : Mr.S.R.Anbarasu

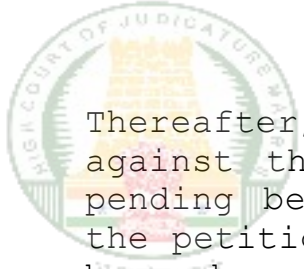
For Respondents : Mr.Aayiram K.Selvakumar

Additional Government Pleader

ORDER

This Writ Petition has been filed to quash the order dated 18.10.2016 made by the 1st respondent in Se.Mu.Na.Ka.No.1227/A1/2016 and to direct the respondents to reinstate the petitioner in regular job as Anganwadi Worker.

2.The learned counsel for the petitioner would submit that the petitioner was initially appointed as Nutritious Noon Meals Worker and subsequently, she was appointed as Anganwadi Worker.



Thereafter, a case in Cr.No.370 of 2016 has been registered against the petitioner and regarding the same, a case is still pending before the Court below. Pursuant to the criminal case, the petitioner was placed under suspension by the first respondent by order dated 18.10.2016. After that, the respondents did not frame any charge against the petitioner till date. Hence, the petitioner made a representation on 03.04.2017 to the respondents to quash the order of suspension, but till date no action has been taken. Hence, challenging the impugned order of suspension dated 18.10.2016 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 (3) CTC 119**, the present writ petition has been filed.

3.In reply, the learned Additional Government Pleader appearing for the respondent would submit that the said representation of the petitioner dated 03.04.2017 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 Additional Government Pleader, this Court directs the second respondent to consider the petitioner's representation dated 03.04.2017 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 (3) CTC 119**, 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 petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The District Child Development Project Officer,
District Collector's Campus,
Tirunelveli, Tirunelveli District.



3. The Block Development Officer,
Valliyoor Panchayat Union,
Valliyoor, Radhapuram Taluk,
Tirunelveli District.

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+1 CC to Special Government Pleader (SR-74525[F] dated 10/07/2019
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