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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2019

CORAM

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

W.P. (MD) No.11451 of 2017

and

W.M.P. (MD) Nos.8829 and 8830 of 2017

Indira

...Petitioner

Vs.

1.The District Collector,
Kanyakumari District, Nagercoil.

2.The Child Development Planning Officer,
Agastheeswaram Circle,
Agastheeswaram, Kanyakumari District.

3.The state represented by
The Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.
(Crime NO.190 of 2016)

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the impugned suspension order, dated 28.06.2016 under Reference No.1031/A1/2015 passed by the 1st respondent and quash the same as illegal and devoid of merits and consequently, to direct the respondents No.1 and 2 to reinstate the petitioner as Ankanwadi Employee at Ramanathichan Puthoor, Kanyakumari District with all benefits and continuity of service forthwith.

For Petitioner	: Mr.S.Palani Velayutham
For Respondents	: Mr.Aayiram K.Selvakumar Additional Government Pleader

ORDER

This Writ Petition has been filed to quash the order dated 28.06.2016 passed in Reference No.1031/A1/2015 by the first respondent and to direct the respondents 1 and 2 to reinstate the petitioner into service.

2.The learned counsel for the petitioner would submit that the petitioner was an employee of Anganwadi at Ramanathichan Puthoor, Kanyakumari District. Based on the complaint given by one Manoharan, a case in Cr.No.190 of 2016 has been registered against the petitioner. Pursuant to the criminal case, the petitioner was placed under suspension by the first respondent by order dated 28.06.2016. Further, the learned counsel would submit that the



enquiry has not been concluded till date. Hence, the petitioner made a representation on 14.07.2016 and 08.08.2016 to the respondents 1 and 2 to quash the order of suspension, but till date no action has been taken. Hence, challenging the impugned order of suspension dated 28.06.2016, the present writ petition has been filed.

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3.In reply, the learned Additional Government Pleader appearing for the respondents would submit that the enquiry has not been concluded and the representation of the petitioner dated 08.08.2016 would be considered as expeditiously as possible on merits and in accordance with law.

4.In agreement with the submission made by the learned Additional Government Pleader appearing for the respondents, without expressing any opinion on the merit of the case, this Court directs the first respondent to consider the petitioner's representation dated 08.08.2016 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(Records)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Kanyakumari District, Nagercoil.

2.The Child Development Planning Officer,
Agastheeswaram Circle,
Agastheeswaram, Kanyakumari District.

3.The Inspector of Police,
Anjugramam Police Station,
Kanyakumari District.

+1CC TO MR.S.PALANI VELAYUTHAM, Advocate Sr. No.74408

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.74524

W.P.(MD) No.11451 of 2017

09.07.2019

GRC (CO)

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TR (24.07.2019) 2P 6C