



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.07.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.12723 of 2017

and

W.M.P. (MD) No.9835 of 2017

Malathi

...Petitioner

Vs.

The Revenue Divisional Officer,
Karur, Karur District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certorari Mandamus, to call for the records relating to the impugned order of suspension passed by the respondent in his proceedings in R.C.No.A3/4970/2016, dated 06.12.2016 and quash the same.

For Petitioner : Mr.V.P.Rajan

For Respondent : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to quash the impugned order of suspension passed by the respondent in R.C.No.A3/4970/2016, dated 06.12.2016.

2.The learned counsel for the petitioner would submit that the petitioner was appointed as Village Administrative Officer. Based on the complaint given by one Senthilkumar, a case in Cr.No.11 of 2016 has been registered against the petitioner and the same is pending before the Court below. Pursuant to the criminal case, the petitioner was placed under suspension by the respondent by order dated 06.12.2016. After that, the respondent did not frame any charge against the petitioner till date. Hence, the petitioner made a representation on 28.02.2017 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 06.12.2016 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 28.02.2017 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 respondent to consider the petitioner's representation dated 28.02.2017 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 petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar (CS)

To

The Revenue Divisional Officer,
Karur, Karur District.

+1 CC to SPL GP SR-74540.

+1 CC to Mr.V.P.RAJAN, Advocate SR-74706.

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CS (24.07.2019) 2P 4C