

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.34021 OF 2018

ORDER:

With the consent of learned counsel for both parties, the writ petition is being disposed of at the stage of admission.

This writ petition is filed seeking a Writ of Mandamus to declare the orders of suspension dated 19.04.2018 issued by the 1st respondent for an offence not connected in discharging official duties as illegal, arbitrary and without application of mind and to set aside the same and also sought a consequential direction to reinstate the petitioner into service with all consequential benefits.

Heard Sri K.R. Srinivas, learned counsel for the petitioner, and the learned Government Pleader for Services-II.

It has been contended by the petitioner that while he was working as Field Assistant with the respondents, he was falsely implicated in a Criminal Case i.e., FIR.No.85 of 2017 registered on 16.12.2017 and sent to judicial custody for more than 48 years. Since the petitioner was in judicial custody for more than 48 years, the respondents have placed him under suspension vide orders dated 19.04.2018. Challenging the said suspension orders, the present writ petition is filed.

The petitioner had contended that except placing him under suspension, no further action has been taken by the respondents. The petitioner also contended that in spite of the suspension order being passed about more than one year back, the respondents are not reviewing the same.

Therefore, learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the respondents to review the

suspension order dated 19.04.2018 strictly in terms of G.O.Ms.No.86 dated 08.03.1994.

Learned Government Pleader appearing for the respondents had contended that the case of the petitioner with regard to reviewing his suspension order in terms of G.O.Ms.No.86 dated 08.03.1994 would be considered and appropriate orders would be passed.

This Court, having considered the rival submissions made by learned counsel for both parties, is of the considered view that this writ petition can be disposed of directing the respondents to review the suspension order of the petitioner strictly in terms of G.O.Ms.No.86 dated 08.03.1994 and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Dated: 12th June, 2019
v v