

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 29.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.2067 of 2020

T.Dhanasekaran

...Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Thiruvannamalai,
Thiruvannamalai District.

2.The Sub Collector,
Office of the Sub Collector,
Cheyyar,
Thiruvannamalai District.

3.The Tahsildhar,
The office of Tahsildhar,
Vembakkam,
Thiruvannamalai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing respondents to consider the petitioner's representation dated 17.11.2018 submitted for seeking an order to revoke the prolonged suspension bearing order No.Na.ka.Aa2/262/2017 dated 27.01.2017 passed by the 3rd respondent herein and to reinstate the petitioner in service, since he has been in prolonged suspension period.

For Petitioner : Mr.V.R.Appaswamee

For Respondents: Mr.P.S.Siva Shanmugasundaram
Special Government Pleader

O R D E R

This writ petition has been filed for the issue of a writ of mandamus, directing the respondents to consider the representation made by the petitioner and revoke the suspension, which was ordered against the petitioner in the year 2017.

2.The case of the petitioner is that he was appointed as a Village Assistant in the year 2012. In the year 2017, based on a criminal complaint, an FIR came to be registered in Crime No.26 of 2017 against the petitioner and his family members. The petitioner was arrested and remanded back to judicial custody. In view of this arrest, the 3rd respondent passed the suspension order on 27.01.2017. The petitioner has given a representation to the respondent to revoke the order of suspension, since the petitioner has been kept under a prolonged suspension for more than 2 years. The grievance of the petitioner is that the representation was not considered and the suspension was not reviewed and the petitioner continues to be under suspension till date. According to the petitioner, a final report has also been filed in the criminal case and thereafter, there was no progress in the criminal case also.

3.Heard Mr.V.R.Appaswamee, learned counsel for the petitioner and Mr.P.S.Siva Shanmuga Sundaram, learned Special Government Pleader for the respondents.

4.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in the writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 17.11.2018 and pass appropriate orders strictly in accordance with law within a period of 4 weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 3rd respondent along with a copy of the representation dated 17.11.2018 and a copy of this order.

5.This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Office of the District Collector,
Thiruvannamalai,
Thiruvannamalai District.

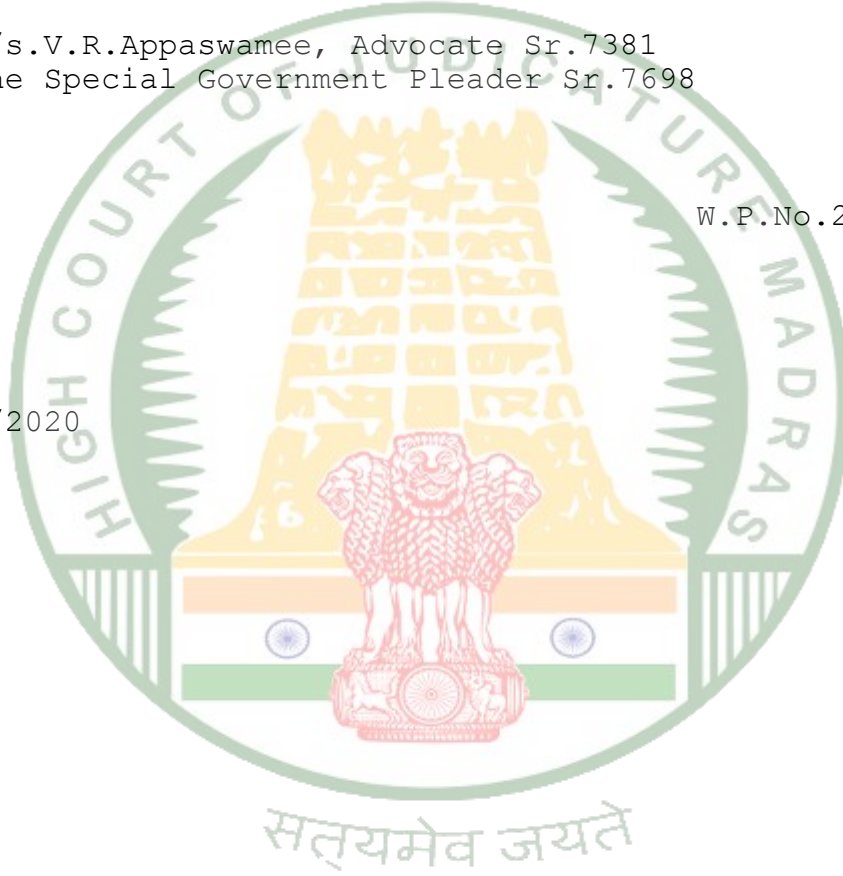
2.The Sub Collector,
Office of the Sub Collector,
Cheyyar,
Thiruvannamalai District.

3.The Tahsildhar,
The office of Tahsildhar,
Vembakkam,
Thiruvannamalai District.

+1cc to M/s.V.R.Appaswamee, Advocate Sr.7381
+1cc to the Special Government Pleader Sr.7698

W.P.No.2067 of 2020

rp[co]
srg 24/02/2020



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