

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.2607 of 2020
and
WMP No.3029 of 2020

K. Rajasekar ... Petitioner

-Vs-

1. The Chairman
Tamil Nadu Electricity General and Distribution
Corporation Limited (TANGEDCO)
NPKRR Maaligai, No.144, Anna Salai,
Chennai 600 002.
2. The Chief Engineer - Personnel,
Tamil Nadu Electricity General and Distribution
Corporation Limited (TANGEDCO)
NPKRR Maaligai, No.144, Anna Salai,
Chennai 600 002.
3. The Chief Engineer - Distribution
Tamil Nadu Electricity General and Distribution
Corporation Limited (TANGEDCO)
Gandhi Nagar, Vellore 632 006.
4. The Superintending Engineer,
Krishnagiri Electricity Distribution Circle
(TANGEDCO), Krishnagiri District
Krishnagiri 635 002.
5. The Inspector of Police
Vigilance & Anti Corruption Department,
Krishnagiri, Krishnagiri District. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus or any other Writ Order or Direction in the nature of Writ calls for the records pertaining order of the fourth respondent in his proceedings Memo No.577/Adm.3/A.1/F.DVAC/2019, dated 19.08.2019 and quash the same as illegal, improper, incompetent and ultra virus and consequentially direct the

fourth respondent herein to reinstate the petitioner in the post of Commercial Inspector in Kaveripattinam TANGEDCO Office, Krishnagiri District.

For Petitioner : Mr.C. Palanisamy
For Respondents: Mr. M. Fakkir Mohideen
Standing Counsel for R1 to R4.

ORDER

This Writ Petition has been filed challenging the suspension order passed by the fourth respondent on 19.08.2019.

2. The case of the petitioner is that he was working as a Commercial Inspector in the respondent corporation. A criminal case came to be registered in Cr. No.9/AC/2019 against the petitioner for an offence under Section 7 of the Prevention of Corruption Act. The petitioner was arrested and remanded to judicial custody. Pursuant to the same, the fourth respondent passed the suspension order on 19.08.2019. The grievance of the petitioner is that a false case has been foisted against the petitioner and that the petitioner is being kept under prolonged suspension and the same is opposed to the judgment of the Hon'ble Supreme Court in the case of Ajay Kumar Choudhary vs. Union of India reported in CDJ 2015 SC 129 and in the case of Sate of Tamil Nadu Vs. Pramod Kumar IPS in Civil Appeal Nos.8427 to 8428 of 2018. The petitioner has made representation to the respondents on 06.01.2020 seeking for revoking the order of suspension. Since the same has not been considered, the petitioner has approached this Court challenging the order of suspension.

3. Heard Mr.C. Palanisamy, learned counsel for the petitioner and Mr. M. Fakkir Mohideen, learned counsel for the respondents.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the fourth respondent to consider the representation made by the petitioner on 06.01.2020 seeking for revocation of the suspension order and pass appropriate orders, strictly in accordance with law, within a period of four(4) weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the fourth respondent along with a copy of the representation

dated 06.01.2020 and a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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5. The Inspector of Police
Vigilance & Anti Corruption Department,
Krishnagiri, Krishnagiri District.

+2cc to M/s.C.Palaniswamy Advocate sr8491
+1cc to M/s.M.Fakkir Mohideen Advocate sr8823

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