

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.4040 of 2020
and W.M.P No.4770 of 2020

B.Anantharasu

Village Administrative Officer,
Ottimedu Village,
Virudhachalam Taluk,
Cuddalore District.

Petitioner

vs.

1. The Sub Collector,
Virudhachalam,
Cuddalore District.

2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Cuddalore District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to revoke the order of suspension of the petitioner dated 21.02.2016 made in Reg.A1/503/2019 as per the directions issued by the Principal Secretary to Government, Personnel and Administrative Reforms (N) Department dated 23.07.2015 in pursuant to the judgment of the Hon'ble Supreme Court of India made in SLP (C) No.31761 of 2013 dated 16.02.2015 (in the case of Ajay Kumar Choudhary -vs- Union of India and another) within stipulated time.

For Petitioner : Mr.K.Balu

For Respondent : Mr.V.Prabhu

Government Advocate

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 1st respondent to revoke the order of suspension passed against the petitioner on 21.02.2019.

2.The case of the petitioner is that he was working as a Village Administrative Officer in Ottimedu Village in Cuddalore District. An FIR came to be registered against him in Crime No.03 of 2019 for the offence under Section 7 of Prevention of Corruption Act, 1988. The petitioner was arrested and remanded to judicial custody. Consequently, an order of suspension came to be passed by the 1st respondent on 21.02.2019. Since, the petitioner was kept under prolonged suspension, the petitioner made a representation to the respondents to review the order of suspension. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.K.Balu, learned counsel appearing on behalf of the petitioner and Mr.V.Prabhu, learned Government Advocate appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 30.12.2019 and deal with the same strictly in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of the representation dated 30.12.2019 and a copy of this order.

5.This writ petition is disposed of with the above directions. Consequently, connected miscellaneous petition is closed. No Costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Sub Collector,
Virudhachalam,
Cuddalore District.
2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Cuddalore District.

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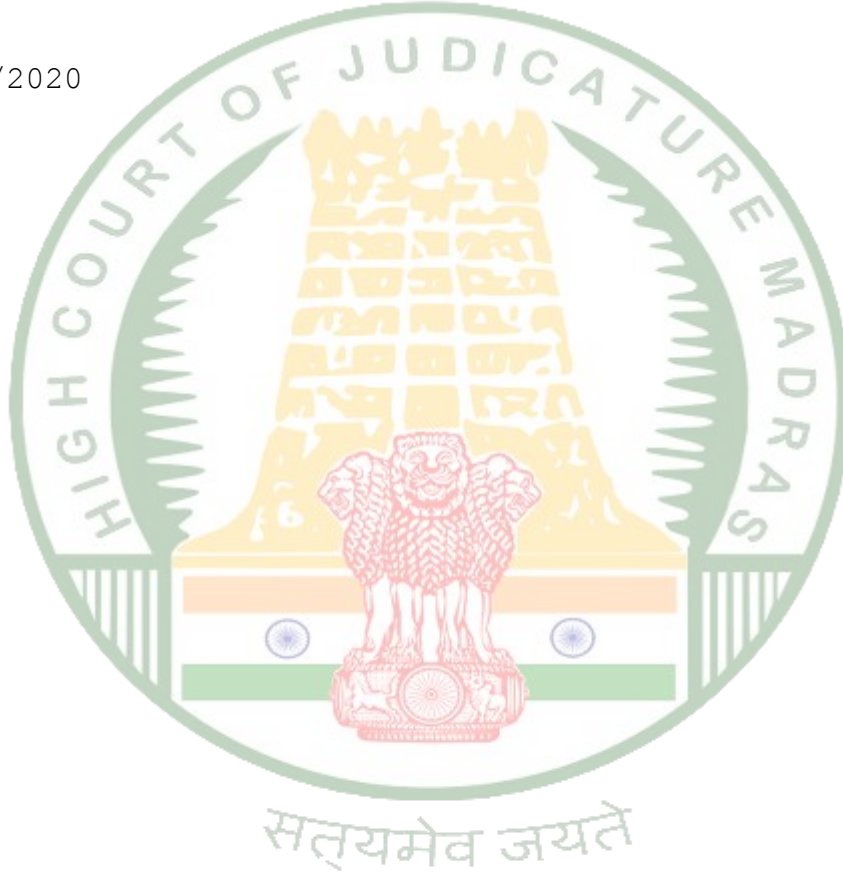
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Balu, Advocate, S.R.No.14805

+1cc to the Government Pleader, S.R.No.15681

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BP (CO)
KKV/26/05/2020



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