

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :24.07.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO. 25342 OF 2013

S.Sundar

.. Petitioner

- Vs -

1.The Chief Conservator of Forest and
Director of Sericulture,
Sericulture Department,
Salem.

2.The Assistant Director of Sericulture,
Dharmapuri District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the respondents to consider the petitioner's representation letter dated 11.05.2013 and thereby direct the respondents to reinstate the petitioner into service from 21.03.2013 with all consequential monetary and other service benefits.

For Petitioner : Mr.B.Gopalakrishnan for
M/S. P.Murugan.

For Respondents: Mr.M.Ezhlukalai, G.A.

ORDER

The petitioner has come up with the above writ petition praying to direct the respondents to consider the petitioner's representation dated 11.05.2013 and direct the respondents to reinstate the petitioner into service from 21.03.2013 with all consequential monetary and other service benefits.

2.The case of the petitioner is that initially the petitioner was appointed in Sericulture Dept., in the year 1981 as Sericulture Demonstrator. Whiles, he was transferred to the 2nd respondent division. The petitioner was placed under suspension on 21.03.2013 in a trap case on

the allegation that he received illegal gratification. The suspension order was not revoked till 11.5.13 and, therefore, the petitioner made a representation on 11.05.2013, requesting to revoke the order of suspension. Since no order has been passed on the said representation, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents and perused the materials available on record.

4. On perusal of the suspension order, it reveals that the petitioner was caught red-handed while receiving illegal gratification and he was arrested by Vigilance and Anti Corruption Department, Dharmapuri on 21.03.2013 and a case has been registered in Cr. No.01/AC/2013 Dharmapuri u/s 7 of The Prevention of Corruption Act 1988 for the offence of demand and acceptance of illegal gratification of Rs. 3000/- for the purpose of arranging to sanction the subsidy amount of Rs.75,000/- under Catalytic Development Programme Scheme towards the construction of shed for rearing silkworm by the complainant and he was produced before the learned Judicial Magistrate, Dharmapuri and remanded on 21.03.2013.

5. The factual position being as above noted and the allegations made against the petitioner being serious in nature, this Court is of the considered view that the relief of revocation of suspension as sought for by the petitioner cannot be acceded to at the present point of time. The petition is therefore liable to be rejected.

6. Accordingly, this writ petition is dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

To

1.The Chief Conservator of Forest and
Director of Sericulture,
Sericulture Department,
Salem.

2.The Assistant Director of Sericulture,
Dharmapuri District.

+1cc to the Spl Government Pleader(Forest), S.R.No.25167

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MR (CO)
CB(14/08/2020)



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