

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.5157 of 2020

and

WMP No.6086 of 2020

M.K.Sivaraj

... Petitioner

-Vs-

1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai.

2.The Superintending Engineer,
CEDC/Chengalpattu.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the Second Respondent in Memo No.451/Adm 2/A 2/F. Suspension/2019 dated 21.06.2019 and quash the same and consequently permit the petitioner to rejoin duty/service as Junior Engineer with all attendant/consequential benefits.

For Petitioner : Mr.Vijayan Subramanian

For Respondents : Mr.P.R.Dhilipkumar
Standing Counsel

ORDER

This writ petition has been filed challenging the order of suspension passed by the respondents by proceedings dated 21.06.2019 and consequently for reinstating the petitioner.

2.The case of the petitioner is that he was working as a Junior Engineer and a criminal case came to be registered against the petitioner under the Prevention of Corruption Act. The petitioner was arrested and remanded to judicial custody and consequently an order of suspension came to be passed on 21.06.2019. The grievance of the petitioner is that the petitioner is being kept under prolonged suspension and therefore a representation was made to the respondents to review and revoke the order of suspension. Since the same was not considered, the present writ petition has been filed before this Court challenging the order of suspension.

3.Heard Mr.Vijayan Subramanian, learned counsel appearing for the petitioner and Mr.P.R.Dhilipkumar, learned Standing counsel appearing on behalf of the respondents.

4.This Court is not inclined to interfere with the order of suspension passed by the 2nd respondent. However, the representation made by the petitioner seeking for revoking the order of suspension is now pending before the 2nd respondent. Therefore, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 14.02.2020 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with a copy of this order.

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

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

KP

To

1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai.

2.The Superintending Engineer,
CEDC/Chengalpattu.

+1 cc to M/s.Vijayan Subramanian Advocate sr18884
+1 cc to M/s.P.R.Dhilip kumar Advocate sr47997

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