



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.11.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD)No.16040 of 2020

C.Selvakumar

... Petitioner

vs.

- 1.The Director,
Fire and Rescue Services,
17, Rukmani Lakshmipathy Road,
Egmore, Chennai - 600 008.
- 2.The Deputy Director,
Fire and Rescue Department,
Southern Region, Madurai District.
- 3.The District Officer,
Fire and Rescue Department,
Theni,
Theni District.
- 4.The District Officer,
Fire and Rescue Department,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to revoke the order of suspension in the light of the Judgment of the Hon'ble Apex Court in Ajay Kumar Choudhary Vs. Union of India reported in (2015) 7 SCC 291 within the period stipulated by this Court.

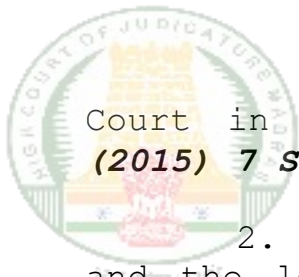
For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.N.Shanmugaselvam,
Additional Government Pleader.

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, to direct the respondent to revoke the order of suspension in the light of the Judgment of the Hon'ble Apex Court in Ajay Kumar Choudhary Vs. Union of India reported in (2015) 7 SCC 291 within the period stipulated by this Court.

<https://hcservices.scripsys.in/hcservices/>



Court in **Ajay Kumar Choudhary Vs. Union of India** reported in **(2015) 7 SCC 291** within the period stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents.

3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that he was appointed as Fireman in the year 1996 and promoted as Fireman Driver on 21.11.2007. In the mean time, one S.Manokaran, Station Officer (Transport), has lodged a complaint against the petitioner alleging that the petitioner was in a drunken mood and attempted to attacked him. Hence, he was kept under suspension with effect from 25.07.2020. Thereafter, the petitioner sent a representation dated 16.10.2020 to the respondents seeking to revoke the order of suspension. Since no action has been taken by the respondents so far, the petitioner is constrained to move the present Writ Petition.

5. The learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner, dated 16.10.2020, would be considered on merits and in accordance with law, within a time frame as fixed by this Court.

6. Considering the nature of the relief as sought for by the petitioner, without going into the merits of the case, the respondents are directed to consider the representation of the petitioner, dated 16.10.2020 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



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+1 CC to Mr.T. LAJAPATHI ROY, Advocate (SR-21957[F] dated
11/11/2020)

**W.P (MD) No.16040 of 2020
11.11.2020**

PU (CO)
KM (26.11.2020) 3P 6C