



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 23.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.5188 of 2020 and
W.M.P.No.6125 of 2020

M.Gomathy

... Petitioner

Vs

The District Collector
Chennai District
Chennai - 600 001.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the respondent relating to the suspension order vide his proceeding Pro. No. A4 / 398 / 2020 dated 05.01.2020 passed by the First Respondent quash the same and to issue consequential directions to reinstate the petitioner into service as Headquarters Deputy Tahsildar in the same station.

For Petitioner : Mr.J.Muthukumaran

For Respondent : Mr.K.V.Sajeev Kumar, Government Advocate

O R D E R

The petitioner, while serving as Deputy Tahsildar, was placed under suspension, through an order dated 05.01.2020, which is impugned in the present writ petition. The petitioner's representation dated 03.02.2020 seeking for revocation of her suspension was not considered by the respondent and hence, the present writ petition.

2. The guidelines governing a Government employee to be kept under prolonged suspension, has been dealt with by the Hon'ble Supreme Court in the case of Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291 at page 303, in the following manner:-

"21.We, therefore, direct that the currency of a suspension order should not extend beyond three months if within this period the memorandum of charges/charge-sheet is not served on the delinquent officer/employee; if the memorandum of charges/charge-sheet is served, a reasoned order must be passed for the extension of the suspension. As in the case in hand, the



kst

To

The District Collector,
Chennai District, Chennai 600 001.

+1cc to Mr.M.Gnana Sekar, Advocate SR.No. 35196

+1 cc to Government Pleader Sr.No. 35561

W.P.No.5188 of 2020

PMK (CO)

B.VC (10.08.2021)