

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.10273 of 2021

&

W.M.P.No.10869 of 2021

Athiyaman

.. Petitioner

Versus

1 The Chief Educational officer
Krishnagiri Krishnagiri District.

2.The District Educational Officer
Krishnagiri,
Krishnagiri District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order dated 30.01.2020 made in Proceedings R. C. No. 000178 / A2 / 2020 passed by the 1st respondent and to quash the same consequently direct the respondents to reinstate the petitioner in service with all service and monetary benefits forthwith.

For Petitioner : Mr.R.Rajadurai

For Respondents: Mr.P.Raja, Govt.Advocate

सत्यमेव जयते
O R D E R

The petitioner working as B.T.Assistant(Science) in the Government Boys Higher Secondary School, Singarapettai, Krishnagiri District. There is some matrimonial dispute between him and his wife out of which he was implicated in a criminal case and was arrested. Therefore, he was placed under suspension on 30.01.2020. Even though he was released on bail, the suspension was not reviewed by the authorities in view of the pendency of the case. According to the petitioner, the order of suspension is nothing to do with his service and he is falsely implicated in the case by his wife. Therefore, he seeks a direction to the respondents to review his suspension order.

2. Mr.P.Raja, learned Government Advocate takes notice on behalf of the respondents.

3. Normally, the suspension order will be reviewed within a period of six months. But in this case, even after lapse of one and half years it has not been reviewed. It is also not desirable to keep a person under suspension and to pay subsistence allowance without extracting any work from him.

4. Considering the facts and circumstance of the case, now that the matter is pending with the respondents for consideration, therefore without expressing any opinion on merits, a direction is given to the respondents to consider the representation of the petitioner dated 27.03.2021 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

Kpr

To

1.The Chief Educational officer
Krishnagiri Krishnagiri District.

2.The District Educational Officer
Krishnagiri,
Krishnagiri District.

+lcc to Mr.C.Prabakaran, Advocate, S.R.No.24962

+lcc to the Government Pleader, S.R.No.25325

SV(CO)
CB(01/07/2021)

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