



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.No.14275/2021

[Video Conferencing]

M.Prakash

.. Petitioner

Vs

1. The District Collector
Coimbatore District, Coimbatore.

2. The Special Officer/Block Development
Officer, Kurudampalayam Panchayat
Periyanaickenpalayam Block
Coimbatore District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the 1st respondent to dispose of the representation letters dated 10.01.2020 and 24.08.2020 in the light of the judgment of the Hon'ble Supreme Court in Ajay Kumar Choudhary Vs Union of India in SLP [C] No.31761/2013 dated 16.10.2015.

For Petitioner	:	Mr.S.Sivanandam
For R1	:	Mr.C.Kathiravan
		Government Advocate
For R2	:	Mr.Nanmaran

ORDER

1. By consent, the writ petition is taken up for final disposal and is disposed of by this order.
2. Mr.C.Kathiravan, learned Government Advocate accepts notice on behalf of the 1st respondent and Mr.Nanmaran, learned counsel accepts notice on behalf of the 2nd respondent.
3. The petitioner has filed the present writ petition seeking for issuance of a writ of mandamus, directing the 1st respondent to consider his representations dated 10.01.2020 and 24.08.2020 respectively seeking revocation of the order



of suspension and reinstatement in the light of the Apex Court judgment dated 16.02.2015 made in SLP [C] No.31761/2015 [Ajay Kumar Choudhary V. Union of India].

4. The case of the petitioner is that while he was working as the Panchayat Secretary under the 2nd respondent-Panchayat, he was arrested along with two others by the officials of the DVAC under the provisions of the Prevention of Corruption Act and he was placed under suspension from 08.03.2019 onwards. The petitioner earlier filed WP.No.25184/2019 challenging the suspension order and this Court, vide order dated 09.09.2019 dismissed the writ petition granting liberty to the petitioner to submit a representation before the competent authorities seeking review of the suspension order. Accordingly, the petitioner submitted a representation on 10.01.2020 seeking the said relief. Since the same was not considered, he submitted yet another representation on 24.08.2020 and as both the representations failed to invoke any kind of response, the petitioner is constrained to approach this Court by filing the present writ petition.
5. This Court heard the submissions of the learned counsel for the petitioner ; the learned Government Advocate appearing for the 1st respondent ; the learned counsel appearing for the 2nd respondent and perused the materials placed before it.
6. Considering the limited scope of prayer sought for by the petitioner and without going into the merits of the claim made by him in his representations, this Court directs the 1st respondent to consider and dispose of the petitioner's representations dated 10.01.2020 and 24.08.2020 respectively on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.
7. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

AP



To

1. The District Collector
Coimbatore District, Coimbatore.

2. The Special Officer/Block Development
Officer, Kurudampalayam Panchayat
Periyanaickenpalayam Block
Coimbatore District.

+1CC to Government Pleader, High Court, Sr.No.33268

WP.No.14275/2021

VG-II (CO)
K.RK. (03.08.2021)