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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.13041 of 2020

and

W.M.P.Nos.16160 & 16162 of 2020

(Through Video Conferencing)

S.Loganathan

... Petitioner

Vs

The District Collector,
Namakkal, Namakkal District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in his proceedings in Roc.No.4822/2017/A2 dated 25.02.2017 and quash the order passed therein and direct the respondent to reinstate the petitioner into service with all consequential and monetary benefits with retrospective effect from 24.02.2017.

For Petitioner : Mr.P.Arumuga Rajan

For Respondent : Mr.L.S.M.Hasan Fizal
Government Advocate

ORDER

The petitioner has filed this writ petition for a Certiorarified Mandamus, to call for the records of the respondent in his proceedings in Roc.No.4822/2017/A2 dated 25.02.2017 and quash the order passed by the respondent and direct the respondent to reinstate the petitioner into service with all consequential and monetary benefits with retrospective effect from 24.02.2017.

2. The petitioner was suspended from service on 25.02.2017 and thereafter remanded to judicial custody on 10.03.2017.

3.The petitioner was placed under suspension as he was involved in demanding bribe and has caught red-handed. A Criminal Complaint also has been filed against the petitioner in



Crime No.1/AC/2017 under Section 7 of Prevention of Corruption Act, 1988 before the Jurisdictional Police Station. In the counter, it has been stated that a criminal case is yet to be commenced.

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4. The learned counsel for the petitioner submits that a charge sheet has been filed and the case is yet to be numbered.

5. Considering the fact that the petitioner has been suspended from service on 25.02.2017 and was thereafter remanded to judicial custody and since no charge memo has been issued for initiating departmental proceedings against the petitioner, this Court is inclined to dispose this writ petition by directing the respondent to recall the petitioner to duty in any non-sensitive post within a period of four weeks from today.

6. The respondent is directed to issue a charge memo and shall endeavour to complete the aforesaid disciplinary proceedings within a period of six months from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of with the above observations. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CO)

// True Copy//

Sub Assistant Registrar

arb

To

The District Collector,
Namakkal, Namakkal District.

+1cc to the Government Pleader, S.R.No.42048

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SSV(CO)
CT(02/09/2021)