



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No. 15318 of 2021

K.Sivaraman

.. Petitioner

Versus

1.The District Collector,
Chengalpattu,
District Collectorate,
Chengalpattu District.

2.The Revenue Divisional Officer,
Chengalpattu,
Chengalpattu District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent pertaining to his order made in R.C. No.2252/2020/A1 dated 31.12.2020 and quash the same, consequent to direct the respondents to reinstate the petitioner in service.

For Petitioner : Mr. P.Karthik
For Respondent : Mr. C.Kathiravan
Government Advocate

O R D E R

This writ petition is filed for issuance of a writ of certiorarified mandamus to quash the order of the first respondent in R.C. No.2252/2020/A1 dated 31.12.2020 and direct the respondents to reinstate the petitioner in service.

2. The petitioner was appointed as Village Administrative Officer on 13.04.2012. While he was working as Village Administrative Officer at Vallam Village, a criminal case was registered against him under Sections 7 and 12 of Prevention of Corruption (Amendment) Act, 2018 and the petitioner was also detained in judicial custody from 30.12.2020 to 06.01.2021. The second respondent vide his proceedings dated 31.12.2020 placed the petitioner under suspension. The case of the petitioner is that there is no specific charge in the First Information Report as against him and that he was blindly included as he is the superior of the other accused. Citing some of the precedents,



the learned counsel appearing for the petitioner states that the petitioner cannot be kept under prolonged suspension without assigning any valid reason. He further submitted that the petitioner has also made a representation to the respondents to pay subsistence allowance to the petitioner and to revoke the order of suspension on the ground that no charge sheet is filed as against the petitioner.

3. Though the petitioner has come forward with a specific grievance which should be addressed after notice to respondents, learned counsel for the petitioner states that the petitioner will be satisfied if a direction is issued to the second respondent to consider and dispose of the representation of the petitioner dated 16.04.2021, within a time stipulated by this Court.

4. Having regard to the limited scope of prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's representation or the case pleaded before this Court, this writ petition is disposed of with a direction to the second respondent to consider the petitioner's representation dated 16.04.2021, and dispose of the same on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bkn

To

1.The District Collector,
Chengalpattu,
District Collectorate,
Chengalpattu District.

2.The Revenue Divisional Officer,
Chengalpattu,
Chengalpattu District.

+1cc to Mr.P.Karthi, Advocate, S.R.No.35488
+1cc to the Government Pleader, S.R.No.36255

W.P. No. 15318 of 2021

RLD(CO)
B.VC(19/08/2021)