



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.No.15351/2021

[Video Conferencing]

V.Muralikrishnan

.. Petitioner

Vs.

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

2.The Revenue Divisional Officer
Chengalpattu, Chengalpattu District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus calling for the records of the 1st respondent pertaining to his order made in Rc.No.2160/2020/A3 dated 31.12.2020 and quash the same and consequently to direct the respondents to reinstate the petitioner in service.

For Petitioner : Mr.P.Karthik

For Respondents : Mr.C.Kathiravan
Government Advocate

ORDER

1. By consent, the writ petition is taken up for final disposal and disposed of by this order.
2. Mr.C.Kathiravan, learned Government Advocate accepts notice on behalf of the respondents.
3. The petitioner has filed the present writ petition challenging the order of suspension dated 31.12.2020 with a further direction to reinstate him in service.
4. The petitioner was appointed as Village Assistant vide order dated 06.11.2008. Pursuant to a criminal case registered against the petitioner under Sections 7 and 12 of the Prevention of Corruption Act, 1988, dated 30.12.2020, the petitioner was arrested and remanded to judicial custody on 31.12.2020 at the District Jail, Chengalpattu. Pursuant to the arrest and remand, the petitioner was placed under suspension under Sub Rule [e] of Rule 17 of the Tamil Nadu Civil Services [Discipline and Appeal] Rules. Challenging the order of suspension on the



ground that the prolonged suspension is contrary to the decision of the Hon'ble Supreme Court of India in Ajay Kumar Choudhary V. Union of India dated 16.02.2015 made in SLP [C] No.31761/2015, the present writ petition is filed.

5. The petitioner has also submitted a representation dated 16.04.2021 seeking revocation / reviewing of the order of suspension on the ground that as on date, no charge sheet has been filed as against the petitioner in the said criminal case.
6. This Court heard the rival submissions and also perused the materials placed.
7. Having regard to the serious allegation levelled against the petitioner and the criminal investigation, this Court is not inclined to entertain the writ petition. However, the petitioner's representation dated 16.04.2021 can be considered by the respondent.
8. Hence, this writ petition is disposed of by directing the 1st respondent to consider and dispose of the petitioner's representation dated 16.04.2021 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. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

AP

To

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

2.The Revenue Divisional Officer
Chengalpattu, Chengalpattu District.

+1cc to Mr.P.Karthik, Advocate, S.R.No.35852
+1cc to the Government Pleader, S.R.No.36296

WP.No.15351/2021

SRA (CO)
SB(23/08/2021)