



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.13825 of 2020
and WMP.Nos.17188 & 17191 of 2020
(Through Video Conferencing)

A.Anantharam

... Petitioner

Vs

The Government of Tamil Nadu,
Rep. by Secretary to Government,
Revenue and Disaster Management Department,
Service Wing, Secretariat,
Chennai - 600 009.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus, calling for the records of the respondent relating to the order in G.O. (2D).No.150 Revenue and Disaster Management Department Services Wing Service II (i) Section daed 11.05.2018, to quash the same and to issue consequential directions to the respondent to reinstate the petitioner in service.

For Petitioner : Mr.M.Ravi
For Respondents : Mr.L.S.M. Hasan Fizal,
Government Advocate

ORDER

The petitioner was placed under suspension dated 11.05.2018, thereafter Tribunal Disciplinary Proceeding (TDP) was initiated against the petitioner on 04/2019 in A1/134/2019.

2. It is the case of the petitioner that the impugned suspension order is liable to be quashed by stating that the aforesaid disciplinary proceeding has not progressed further. It is further submitted that no prejudice would be caused to the respondent if the petitioner is reinstated to service. In this connection, the learned counsel for the petitioner has relied on the decision of this Court rendered in WP.No.10494 of 2020 dated 06.08.2021.

3. The learned counsel for the petitioner submits that in the wake of the pending disciplinary proceeding against the



petitioner, there cannot be an order for reinstatement of the petitioner.

4. The learned counsel for the respondent further submits that the disciplinary proceeding is under progress and the orders will be passed within a period of six months from the date of receipt of a copy of this order.

5. Considering the fact that the disciplinary proceedings initiated in TDP Case No. 4/2020 dated 13.09.2020 is in an advanced stage and as the Disciplinary proceedings in an advanced stage and, order to be passed, this writ petition is disposed by directing the respondent to pass appropriate order in the disciplinary proceedings within a period of 90 days from the date of receipt of copy of this order. Reinstatement of the petitioner will be subject to the final decision in the aforesaid disciplinary proceeding.

6. Writ petition is disposed of with the above observation. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

drl
To

The Secretary to Government,
Government of Tamil Nadu,
Revenue and Disaster Management Department,
Service Wing, Secretariat,
Chennai - 600 009.

W.P.No.13825 of 2020

RR(CO)
A.SK(26.11.2021)