



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.14777 OF 2020

AND

W.M.P.NO.18359 OF 2020

M.Murugaboopathi

... Petitioner

Vs.

1. The Government of Tamil Nadu
Rep. by its Principal Secretary,
Highways and Minor Ports (HL-1)
Department, Fort St. George,
Chennai-9.
2. The Director General,
Highways Department,
Integrated Chief Engineer's Office,
HRS Campus,
76, Sardar Patel Road,
Guindy, Chennai-25.
3. The Chief Engineer,
National Highways,
Integrated Chief Engineer's Office,
HRS Campus,
76, Sardar Patel Road,
Guindy, Chennai-25.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 12.03.2020, issued by the first respondent in G.O. (2D) No.5, Highways and Minor Ports (HL1) Department, quash the same and consequently direct the first respondent to revoke the order of suspension and to reinstate the petitioner forthwith, by reviewing the order of suspension, based on the petitioner's representations dated 05.06.2020 and 21.08.2020.



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For Petitioner : Mr.V.Ajoy Khose

For Respondent-1 : Mr.K.V.Sajeev Kumar,
Government Counsel

For Respondent : Mr.K.Tippu Sultan, GA
Nos.2 & 3

O R D E R

The present Writ Petition is heard through Video Conferencing today.

2. The petitioner herein was placed under suspension for his involvement in a criminal case under Prevention of Corruption Act, 1988, through a Government Order in G.O.(2D) No.5, Highways and Minor Ports (HL1) Department, dated 12.03.2020. The said order of suspension is put under challenge in the present Writ Petition.

3. The learned counsel for the petitioner submitted that the petitioner herein had been kept under prolonged suspension for almost 1 ½ years and therefore, he submitted that since the petitioner was not directly involved in any act that would constitute a criminal offence, he would be satisfied if the respondents are directed to review the order of suspension in the light of the representations made by the petitioner on 05.06.2020 and 21.08.2020. The request of the learned counsel seems to be reasonable. Apparently, the petitioner has been kept under suspension from 04.03.2020 onwards and there is no improvement in the criminal investigation also.

4. In this connection, there shall be a direction to the first respondent to consider the petitioner's representations dated 05.06.2020 and 21.08.2020 for the purpose of reviewing the order of suspension dated 12.03.2020. The first respondent shall endeavor to consider such representations as expeditiously as possible, in any event, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. Consequently, the connected Miscellaneous Petition is closed. There shall be no orders as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar



1. The Principal Secretary,
Government of Tamil Nadu,
Highways and Minor Ports (HL-1)
Department, Fort St. George,
Chennai-9.
2. The Director General,
Highways Department,
Integrated Chief Engineer's Office,
HRS Campus, 76, Sardar Patel Road,
Guindy, Chennai-25.
3. The Chief Engineer,
National Highways,
Integrated Chief Engineer's Office,
HRS Campus, 76, Sardar Patel Road,
Guindy, Chennai-25.

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.34187

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CP(CO)
PBS/06/08/2021