



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.18155 of 2021
(Through Video Conferencing)

S.Saravanan

...Petitioner

Vs

1. The Chief Engineer,
TANGEDCO,
144, Anna Salai,
Chennai - 2.

2. The Superintending Engineer,
Kancheepuram Distribution Circle,
Kancheepuram.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to revoke the order of suspension dated 27.05.2020 in proceedings office Memo.No.003891/175/Adms/Adm4/A.2.2/F.Sus/2020 which was subsequently extended on various intervals and to permit the petitioner to join the duty as Accounts Supervisor in the second respondent office.

For Petitioner : Ms.R.Poornima

For Respondents : Mr.P.Subramanian

ORDER

The petitioner was placed under suspension on 21.05.2020. The petitioner was also arrested and thereafter released on bail by this Court in CrI.O.P.No.10926 of 2020 vide its order 22.07.2020, pursuant to a criminal complaint by the petitioner's neighbour named Subramani.

2. The complaint that has been filed against the petitioner is now subject matter of Crime No.2173 of 2020 before the Sivakanchi Police Station, Kanchipuram has been taken on the file of the concerned Criminal (Mahila Court) and a charge sheet has also been filed.



3. The second respondent themselves by his proceedings dated 23.02.2021 to the first respondent has stated that the petitioner was involved in private dispute with his neighbour and no loss was caused to the respondents Electricity Board and the petitioner can be absorbed and asked to report duty. However, by another communication dated 30.06.2021, the respondents have sanctioned subsistence allowance and have renewed the suspension order dated 27.05.2021.

4. Heard the learned counsel for the petitioner and the respondents.

5. The petitioner suspended from service on 27.05.2020 in Proceedings No.003891/175/Adms/Adm4/A.2.2/F.Sus/2020. The petitioner was also arrested and thereafter released on bail by the this Court on 22.07.2020. There is a private dispute. Serious allegations have been made against the petitioner under Sections 294(b), 302, 323 and 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment Act, 2002.

6. However, the fact remains that though criminal proceedings has commenced, it has not progressed due to out break of Covid-19 pandemic and the case is repeatedly getting adjournment. The respondents have also not issued any charge memo against the petitioner. The facts also not indicates that the petitioner was not placed under suspension for any financial irregularity or any corruption in the Department.

7. Considering the above, this Court is inclined to allow this writ petition by directing the respondents to take back the petitioner into service within a period of four weeks from the date of receipt of a copy of this order. Liberty is given to the respondents to transfer the petitioner to any other place on administrative ground.

8. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

arb



To

1. The Chief Engineer,
TANGEDCO,
144, Anna Salai,
Chennai - 2.

2. The Superintending Engineer,
Kancheepuram Distribution Circle,
Kancheepuram.

+1cc to Mr.R.Poornima, Advocate, S.R.No.44018/21

+1cc to Mr.P.Subramanian, Advocate, S.R.No.44447/21

W.P.No.18155 of 2021

RLD (CO)
RGA (24/09/2021)