



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.18963 OF 2021

AND

W.M.P.NO.20223 OF 2021

(THROUGH VIDEO CONFERENCING)

Durgadevi ... Petitioner

Vs

1. The District Collector,
Thiruvallur Collector Office,
Thiruvallur District.
2. The Revenue Divisional Officer,
Thiruvallur.
3. The Tahsildar,
Avadi Taluk Office,
Avadi.
4. The Inspector,
Vigilance and Anti Corruption,
Chennai - 600 016.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to quash the impugned suspension order issued by the second respondent in his proceedings R.C.No.499/2021/A1 dated 26.02.2021 under Rule 17(E) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules and direct the second respondent to reinstate the petitioner into service as Village Administrative Officer.

For Petitioner : Mr.S.M.Chidambaram

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

ORDER

The petitioner has challenged the impugned suspension order dated 26.02.2021 and for a consequential reinstatement on the



ground that a false case has been foisted against the petitioner by one M.Suresh Kumar who came for obtaining patta.

2. It is the case of the petitioner that the defacto complainant who had also filed a complaint pursuant to which FIR came to be registered in Crime No.10 of 2021 and the investigation has commenced.

3. The petitioner has also obtained bail from the Court. However, the petitioner has been placed under suspension for considerably long period of time and no charge memo has been issued. It is further submitted that the entire complaint is against the petitioner is frivolous and motivated because the petitioner failed to grant free patta to the defacto complainant.

4. Considering the fact that the petitioner has been placed under suspension on 26.02.2021, this Court is inclined to dispose this Writ Petition by directing the respondents to issue appropriate charge memo within a period of six weeks from the date of receipt of a copy of this order and endeavour to complete the disciplinary proceedings preferably within a period of six months thereafter.

5. In case no charge memo is issued to the petitioner within the aforesaid period, the respondents shall ensure that the petitioner is reabsorbed into service in any non-sensitive post where the petitioner will not get an opportunity to tamper with the evidence or indulge in any corrupt practice.

6. This Writ Petition stands disposed of with the above observations. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

arb

To

1. The District Collector,
Thiruvallur Collector Office,
Thiruvallur District.
2. The Revenue Divisional Officer,
Thiruvallur.



3. The Tahsildar,
Avadi Taluk Office,
Avadi.

4. The Inspector,
Vigilance and Anti Corruption,
Chennai - 600 016.

+1cc to Mr.S.M.Chidambaram, Advocate, S.R.No.45354
+1cc to the Government Pleader, S.R.No.46123

W.P.No.18963 of 2021
and
W.M.P.No.20223 of 2021

SRA (CO)
CS/24/09/2021