



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.18982 OF 2021

AND

W.M.P.NO.20242 OF 2021
(THROUGH VIDEO CONFERENCING)

N.Veerakumar ... Petitioner

Vs

1.The District Collector,
Nagapattinam, Nagapattinam District.

2.The Sub-Collector,
Nagapattinam, Nagapattinam District.

3.The Revenue Division Officer,
Vedaraniyam,
Nagapattinam District. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 15.10.2020 and 08.07.2021 in terms of batch of writ petitions order passed by the Hon'ble High Court Madras in W.P.Nos.2436, 2471, 2570, 2572 and 2799 of 2011 and 29195 of 2010 and 5206 of 2011 dated 02.07.2012 to post the petitioner in a faraway place from the station of occurrence and post them in a non-sensitive post and dispose the representation.

For Petitioner : Mr.K.Sellathurai

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

ORDER

The petitioner was placed under suspension on 15.09.2019 for legitimately demanding bribe while discharging his service as a Village Administrative Officer pursuant to a complaint



registered against him in FIR dated 13.09.2019 in Crime No.3 of 2019.

2. As on date, a charge sheet has also been filed against the petitioner in aforesaid Crime No.3 of 2019 and the case was pending before the Nagapattinam Special Court which is yet to be numbered. Be that as it may, the facts remains that the petitioner has been placed under suspension from 15.09.2019 and almost two years have lapsed. Since the petitioner was placed under suspension with effect from 13.09.2019, the petitioner receiving the subsistence allowances. It is a loss to the revenue as without extracting work, the petitioner is being paid salary.

3. Considering the fact that no charge memo has been issued, the respondents are directed to pass appropriate orders by allowing the petitioner to report duty in any other non-sensitive post where there is no scope for the petitioner to tamper with the evidence in Crime No.3 of 2019 in respect of which charge sheet has been filed on 20.11.2020. The respondents may also ensure that the petitioner is placed in a position where he may not be get an opportunity to indulge in the alleged corruption.

4. The respondents are directed to ask the petitioner to report duty in any non-sensitive post away from the present place of employment i.e., any other district in the State of Tamil Nadu by 20th of October 2021.

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

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

arb

To

1.The District Collector,
Nagapattinam, Nagapattinam District.



2.The Sub-Collector,
Nagapattinam, Nagapattinam District.

3.The Revenue Division Officer,
Vedaraniyam,
Nagapattinam District.

+2ccs to M/S.K.Sellathurai, Advocate, S.R.No.45697
+1cc to the Government Pleader, S.R.No.46175

W.P.No.18982 of 2021
and
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LN (CO)
PM/20/09/2021