



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20416 of 2021

and

W.M.P.No.21679 of 2021

(Through Video Conferencing)

R.Narasimhan

... Petitioner

Vs

1. The Director,
Order of Director of Survey and
Land Records Survey House,
Chepauk, Chennai - 600 005.

2. The Assistant Director,
Order of Assistant Director of Survey and Land Records,
District Survey Office,
Collectorate Campus, Kanchipuram.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to pass orders on petitioner representation dated 01.10.2020 seeking revocation of suspension by reviewing and for posting in the post held.

For Petitioner : Mr.E.D.Sethupathi

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

ORDER

The petitioner was placed under suspension with effect from 30.09.2019 for allegedly receiving bribe pursuant to a suspension order dated 01.10.2019.

2. After the petitioner was issued with the above suspension order, the petitioner sent a representation for reinstating the petitioner to service. The respondents have now



issued a charge memo to the petitioner on 22.07.2020, to which the petitioner has also sent a reply.

3. It is the case of the petitioner that the petitioner is innocent and has been unnecessarily issued with a charge memo and a criminal case has been wrongly foisted against him. The petitioner has now sent a representation on 01.10.2020 and had requested the respondents once again to reinstate the petitioner.

4. Appearing on behalf of the respondents, learned Government Advocate for the respondents submits that the petitioner has taken a contradictory stand. On one hand, the petitioner had earlier stated that the respondents should not proceed with the disciplinary proceedings, on the other hand states that he should be reinstated. He therefore submits that the writ petition is devoid of merits and the request of the petitioner to consider his representation 01.10.2020 is liable to be dismissed.

5. Heard learned counsel for the petitioner and learned Government Advocate for the respondents.

6. Considering the fact that the petitioner has been issued with a charge memo dated 22.07.2020, the request of the petitioner for reconsideration of the decision taken to suspend cannot be entertained.

7. The respondents are also precluded from proceeding with the disciplinary proceedings. Considering the same, this writ petition is disposed by directing the respondents to complete the disciplinary proceedings within a period from the nine months from the date of receipt of this order. The petitioner is directed to co-operate with the respondents in the disciplinary proceedings. No Costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

arb/nst



To

1. The Director,
Order of Director of Survey and
Land Records Survey House,
Chepauk, Chennai - 600 005.

2. The Assistant Director,
Order of Assistant Director of Survey and Land Records,
District Survey Office,
Collectorate Campus, Kanchipuram.

+1cc to Mr.E.D.Sethupathi, Advocate, S.R.No.48929

+1cc to the Government Pleader, S.R.No.49791

W.P.No.20416 of 2021
and
W.M.P.No.21679 of 2021

AJS (CO)
SU (13/10/2021)