



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NO.22608 OF 2021 AND
W.M.P.NOS.23843 & 23844 OF 2021

(THROUGH VIDEO CONFERENCING)

J.Shanmuga Priya

... Petitioner

.Vs.

The Joint Commissioner
(Revenue Administration),
Commissionerate of Revenue Administration
and Disaster Management,
Chepauk, Chennai - 5.

... Respondent

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorari, to call for the records relating to the order of the respondent made in proceedings No.O.P.I(1)/44863/2019 dated 30.09.2020, to quash the same.

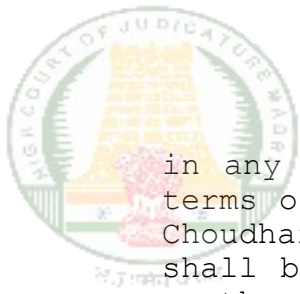
For Petitioner : Mr.L.Chandrakumar

For Respondent : Mr.V.P.R.Elamparithi
Government Advocate

O R D E R

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

2.The petitioner was placed under suspension on 30.09.2021. The respondents have not initiated any departmental proceedings. Considering the same, the respondents are directed to initiate a proper disciplinary proceedings by issuing a charge memo within a period of three months from the date of receipt of a copy of this order. In case, the respondents do not issue a charge memo, the petitioner shall be directed to report the duty within the aforesaid period. In any event, the respondents may independently consider whether the petitioner can be reinstated



in any non-sensitive posts considering the nature of offence in terms of the decision of the Hon'ble Supreme Court in Ajay Kumar Choudhary Vs Union of India, (2015) 7 SCC 291. This exercise shall be carried out by the respondents within a period of three months from the date of receipt of a copy of this order. The respondents are directed to release the arrears on subsistence allowance and therefore continue to pay subsistence allowance pending disposal of the disciplinary proceedings, if the petitioner is allowed to be continue under suspension.

3.This Writ petition stands disposed of with the above observations. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

The Joint Commissioner
(Revenue Administration),
Commissionerate of Revenue Administration
and Disaster Management,
Chepauk, Chennai - 5.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.54676
+1cc to the Government Pleader, S.R.No.55376

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PCH(CO)
PM/01/12/2021