



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.27449 of 2018
and WMP.No.31966 of 2018

V.Venkatesan

... Petitioner

Vs.

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram-608 002,
Cuddalore District.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent dated 01.06.2018 vide Office Memorandum bearing No.S3/8723/2018 and to quash the same in relevance to the judgment of Apex Court dated 16.02.2015 in Ajai Kumar Choudry Vs. Union of India in C.A. No.1912 of 2015 with consequential direction to the respondent to re-instate the petitioner in pursuant to the representation of the petitioner dated 01.02.2017 into the service of the respondent with all the attendant benefits right from the date of suspension.

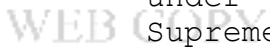
For Petitioner : Mr.R.Tholgapian

For Respondent : Mr.K.Sathish Kumar,
Standing counsel

O R D E R

The present Writ Petition is heard through Video Conferencing today.

The petitioner, while serving as 'Hospital Worker' in Rajah Muthiah Medical College Hospital under the respondent University, was placed under suspension by the respondent herein, through an order dated 11.05.2016 and the consequential order dated 01.06.2018, which are impugned in the present Writ Petition. The petitioner's representation dated 01.02.2017



2. The guidelines governing a Government employee to be kept under prolonged suspension, has been dealt with the Hon'ble Supreme Court in Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291 at page 303, in the following manner:-

3. The petitioner is aggrieved against his prolonged suspension for more than five years. Apparently, the suspension cannot be unjustifiably prolonged, except in accordance with the mandated guidelines as held in the Ajay Kumar Choudhary's case (supra). In this background, it would be appropriate for the respondent to consider the petitioner's representation, seeking for revocation of his suspension.

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respondent vide his proceedings in University Order No.37/2016 (S3) dated 11.05.2016 and its consequential proceedings of the respondent in Office Memorandum No.S3/8723/2018 dated 01.06.2018, in accordance with the decision of the Hon'ble Supreme Court in the case of Ajay Kumar Choudhary (supra), as expeditiously as possible, in any event, within a period of one week from the date of receipt of a copy this order.

5. The Writ petition stands disposed of accordingly. Consequently, the connected Miscellaneous Petition is closed. There shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

DP

To

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram-608 002,
Cuddalore District.

+1cc to R.Tholgappian, Advocate (SR No.33885)

W.P.No.27449 of 2018
and
WMP.No.31966 of 2018

PCH (CO)
PR (28/07/2021)