



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2021

CORAM:

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD).No.5724 of 2021

W.M.P.(MD).Nos.4516 & 5839 of 2021

B.Nagasubramanian

... Petitioner

Vs.

The Designated Officer,
Food Safety and Drug Administration Department,
Collectorate Campus,
Korampallum,
Thoothukudi-628 101,
Thoothukudi District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records passed by the respondent herein in R.No.487/A1/2020 dated 02.03.2021 and quash the same and consequently direct the respondent to permit the petitioner to discharge his duties with all consequential monetary and service benefits.

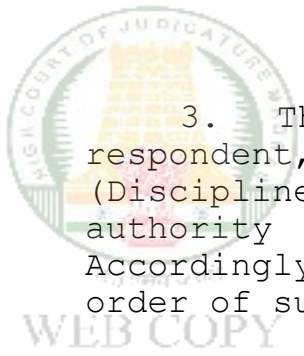
For Petitioner : Mrs.M.Padmavathy

For Respondent : Mr.V.Nirmal Kumar
Government Advocate

O R D E R

This writ petition has been filed praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the respondent herein in R.No.487/A1/2020 dated 02.03.2021, quash the same and consequently direct the respondent herein to permit the petitioner to discharge his duties with all consequential monetary and service benefits.

2. The petitioner, who was working as Food Safety Officer, has been placed under suspension by order dated 02.03.2021. Apart from this, charges have also been framed as against this petitioner on 21.03.2021. The main ground in this writ petition is that a person, who has imposed the order of punishment, is not the competent authority to issue this order.



3. The learned Government Advocate appearing for the respondent, by referring Rule 14(A) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules, has pointed out that any superior authority can place him under suspension on pending charges. Accordingly, the respondent is the competent authority to pass the order of suspension.

4. Considering the above submissions made, this Court is not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. However, a direction is given to the respondent to conclude the enquiry within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (AD II)

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/ /2021

Sub Assistant Registrar(CS)

ssb

To

The Designated Officer,
Food Safety and Drug Administration Department,
Collectorate Campus,
Korampallam,
Thoothukudi-628 101,
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-34960[F] dated 18/11/2021)

W.P. (MD) .No.5724 of 2021

17.11.2021

MGJ(06.12.2021) 2P 3C