



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2021

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.14352 of 2021

and

W.M.P. (MD)Nos.11298 and 11300 of 2021

WEB COPY

P.Sinipriya

... Petitioner

Vs.

- 1.The Government of Tamilnadu,
represented by its Secretary,
Department of Social Welfare and Nutritious Meal Programme (ICDS)
Fort St.George, Chennai- 600 009.
 - 2.The District Collector,
Theni District.
 - 3.The District Project Officer (ICDS),
Theni District.
 - 4.The District Child Development Project Officer,
Theni District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of suspension vide Se.Mu.Na.Ka.No.731/A1/2020 dated 26.05.2020 passed by the 2nd respondent and quash the same; and further direct the respondents to reinstate the petitioner in service and confer all the backwages, monetary and promotional benefits within a stipulated time.

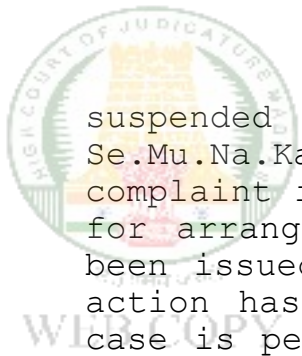
For Petitioner : Mr.N. Karthik Kanna

For Respondents : Mr.A.K.Manickam
Standing Counsel.

ORDER

This Writ Petition has been filed seeking the relief of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of suspension vide Se.Mu.Na.Ka.No.731/A1/2020 dated 26.05.2020 passed by the 2nd respondent and quash the same; and further direct the respondents to reinstate the petitioner in service and confer all the backwages, monetary and promotional benefits.

2.The writ petitioner was appointed as Anganwadi Helper in Theni rural Dharmapuri Centre I Anganwari on 24.02.2011. He was



suspended on 26.05.2020 vide proceedings in Se.Mu.Na.Ka.No.731/A1/2020 for the allegations based on the complaint in Cr.No.472 of 2020 before the Veerapandi Police Station, for arranging marriage to her minor daughter. A charge memo has been issued on the suspension order. Sofar, no explanation or any action has been initiated against the petitioner and the criminal case is pending under the investigation stage. The respondent has not paid any subsistence allowance to the petitioner sofar. Hence, the petitioner made a representation to the respondent for consideration and revoking of the suspension order as well as for payment of subsistence allowance. Since no further has been taken on the petitioner's representation, this Writ Petition has been filed.

3.On considering the said facts, without going into the merits of the case, this Court directs the second respondent to consider the petitioner's representation dated 15.07.2021 on its own merits and pass orders in accordance with law within a period of three months from the date of receipt of a copy of this order, in accordance with the rules and Government orders.

4.Accordingly, this Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Government of Tamilnadu,
represented by its Secretary,
Department of Social Welfare and Nutritious Meal Programme (ICDS)
Fort St.George, Chennai- 600 009.
- 2.The District Collector,
Theni District.



3.The District Project Officer (ICDS),
Theni District.

4.The District Child Development Project Officer,
Theni District.

+1 CC to M/s.The Special Government Pleader (SR-27368[F] dated
26/08/2021)

W.P (MD) No.14352 of 2021

and

W.M.P. (MD) Nos.11298 and 11300 of 2021

24.08.2021

RS (06.09.2021) 3P 6C