



\IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

CORAM

THE HON'BLE MR JUSTICE D. KRISHNAKUMAR

W.P.No.2333 of 2022

and

W.M.P No. 2494, 2495 of 2022

M.Selvi, D/o Marappan ... Petitioner

Vs.

The District Collector,
Salem District, Salem 636 001. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records from the respondent relating to the order of suspension of the petitioner, bearing No.Se.Mu.Na.Ka.No.360/A1/2019, dated 12.02.2021 and quash the same and direct the respondent to permit her to report for work and award costs.

For Petitioner : Mr.S.Ayyathurai

For Respondent : Mr.V.Jeevagiridharan,
Addl.Govt. Pleader

ORDER

This writ petition has been filed to issue a Writ of Certiorarified Mandamus by quashing the order of suspension of the petitioner bearing No.Se.Mu.Na.Ka.No.360/A1/2019, dated 12.02.2021 and direct the respondent to permit her to report for work.

2. The case of the petitioner in brief:

The petitioner is a Anganvadi Worker under the integrated child Development Service Scheme in the Sankari Circle, since 2008. While that being so, the respondent by an order dated 12.02.2021, placed the petitioner under suspension and it is pending for more than one year. Further, so far, the respondent has not initiated any disciplinary proceedings against the petitioner and also not paid Subsistence Allowance. The petitioner sent application to pay Subsistence Allowance and to revoke the suspension order, but it was returned by the Authorities, stating that it was not maintainable. Hence this writ petition.



3. Mr.V.Jeevagiridharan, learned Additional Government Pleader takes notice for the respondent.

4. The learned counsel appearing for the petitioner submitted that, the suspension order was issued against the petitioner as early as on 12.02.2021, however, till now, the respondent has not initiated disciplinary proceedings and no Subsistence Allowance paid. He further submitted that though this writ petition is filed to quash the suspension order, he seeks suitable direction to the respondents to complete the disciplinary proceedings and also to pay Subsistence Allowance to the petitioner from the date of suspension order.

5. Considering the facts and circumstances of the case, and also the submission made by the counsel for the petitioner, this court is inclined to pass orders.

6. Accordingly, it is ordered as follows.

i) The petitioner is directed to give fresh representation to the respondent, within one week from the date of receipt of a copy of this order.

ii) On such representation being made by the petitioner, the same shall be considered by the respondent, including revocation of suspension order, and pass orders on merits, in accordance with law, within a period of eight weeks from the date of receipt of representation.

iii) If already disciplinary proceedings is initiated against the petitioner, the respondent shall proceed further and conclude the same at the earliest.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

mst

To

The District Collector,
Salem District, Salem 636 001.

+1cc to Mr.S.Ayyathurai, Advocate SR.No.9577

+1cc to Government Pleader SR.No.9524

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SSI (CO)

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