



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.4127 of 2020

S.Sakithivel

... Petitioner

vs.

The Managing Director,
Tamil Nadu Adi Dravidar Housing and Development
Corporation Ltd (TAHDCO)
No.31, Cenotaph Road, 2nd Lane,
Teynampet, Chennai - 600 018.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to review the suspension order in R.O.C.No.A1/6415/2018 dated 22.10.2018 as per the G.O.Ms.No.30 P & AR Department dated 23.02.2012 and thereon within a time to be stipulated by this Court.

For Petitioner : Mr.S.Vijayakumar

For Respondent : Mr.Haja Nazirudeen
Additional Advocate General
Assisted by Mrs.S.Anitha
Special Government Pleader

O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondent to review the suspension order in R.O.C.No.A1/6415/2018 dated 22.10.2018 as per the G.O.Ms.No.30 P & AR Department dated 23.02.2012 and thereon within a time to be stipulated by this Court.

2. According to the petitioner, the petitioner was placed under suspension by the respondent on 22.10.2018 for demanding a sum of Rs.2,700/- and the Inspector, Vigilance and Anti-Corruption has registered a criminal case in Crime No.12/AC/2018 against the petitioner for the alleged offence under Section 7-A of the Prevention of Corruption Act (Amendment) 2018. The charge sheet has been filed before the concerned jurisdictional Criminal Court. The petitioner has made a representation dated



10.12.2018 to the respondent for revocation of the suspension order and to reinstate him into service.

3. The learned counsel appearing for the petitioner would submit that as per the Government Order in G.O.(Ms).No.30, Personnel and Administrative Reforms (N) Department, dated 23.02.2012, the Head of Department has to consider the review of the petitioner's suspension periodically as per rules. But so far, the petitioner's suspension order has not been reviewed by the respondent/department. Hence, he prays that an appropriate direction may be issued to the respondent to review the suspension order of the petitioner.

4. The learned Additional Advocate General appearing for the respondent would submit that the petitioner's representation dated 10.12.2018 would be considered by the Review Committee and Head of Department level as per the Government Order in G.O.(Ms).No.30, Personnel and Administrative Reforms (N) Department, dated 23.02.2012.

5. In the light of the above submissions made by the parties, this Court is inclined to direct the respondent to consider the petitioner's representation dated 10.12.2018 and to review the suspension order of the petitioner as per the Government Order in G.O.(Ms).No.30, Personnel and Administrative Reforms (N) Department, dated 23.02.2012 and to pass appropriate orders in accordance with law, by taking note of the decision rendered by the Hon'ble Full Bench of this Court in the case of P.Kannan vs. The Commissioner for Municipal Administration, Chennai (W.P.Nos.2165 of 2015 and 21628 of 2018 dated 15.03.2022), as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

Dm



To

The Managing Director,
Tamil Nadu Adi Dravidar Housing and Development
Corporation Ltd (TAHDCO),
No.31, Cenotaph Road, 2nd Lane,
Teynampet, Chennai - 600 018.

+1cc to Mr.S.Vijayakumar, Advocate SR.No.25608
+1cc to the Government Pleader SR.No.25950

W.P.No.4127 of 2020

MT (CO)
GN (04/05/2022)