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W.P.No.19184 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.19184 of 2022
and
WMP No.18489 of 2022

P.Krishnamurthy

... Petitioner

Vs

1. The Director Local Administration
Department,
Puducherry.

2. The Commissioner,
Puducherry Municipality,
Puducherry.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the Commissioner, Pondicherry Municipality culminating in No.PM/ESTT/1-II/A3/2020 Pondicherry Municipality dated 19.10.2020 passed by 2nd respondent and quash the same and further direction to the 2nd respondent to reinstate the petitioner into service as Junior Engineer forthwith with all service benefits entitled for him during the service period.



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For petitioner ... Mr.K.Balakrishnan

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For Respondents ... Mr.G.D.Jearany,
Govt. Advocate (Pondicherry)

ORDER

This writ petition has been filed challenging the impugned suspension order dated 19.10.2020.

2. The respondents have filed their counter.

3. Today, learned counsel for the petitioner would submit that the petitioner will be satisfied if the proposal pending before the Suspension Review Committee with regard to the petitioner's request for revocation of the impugned order is considered on merits and in accordance with law and a direction is issued to the first respondent to pass final orders based on the report of the Suspension Review Committee within a time frame to be fixed by this Court.

4. In Paragraph No.9 of the counter affidavit filed by the respondents, it has been stated as follows:



"I humbly submit that the Deputy Commissioner, Pondicherry Municipality has recently submitted a proposal with a request to place the case pertaining to Thiru.P.Krishnamurthy before the Suspension Review Committee for consideration and for a decision as he has been under suspension for more than 18 months. The proposal is also being submitted to the Suspension Review Committee for consideration and for a decision".

5. Since the proposal with regard to the petitioner's request for revocation of the suspension order is pending before Suspension Review Committee, no prejudice would be caused to any other parties if a direction is issued to the Suspension Review Committee to submit a Report with regard to the petitioner's request to the first respondent and a direction is issued to the first respondent to pass final orders based on the Suspension Review Committee's Report within a time frame to be fixed by this Court.

6. For the foregoing reasons this Court directs the Suspension Review Committee to submit a Report with regard to the petitioner's request for



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ABDUL QUDDHOSE, J.

sr

revocation of the suspension order to the first respondent within a period of four weeks from the date of receipt of a copy of this order and on receipt of the said Report from the Suspension Review Committee, the first respondent shall pass final orders on merits and in accordance with law within a period of two weeks thereafter.

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

14.11.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
sr
To

1. The Director Local Administration
Department,
Puducherry.
2. The Commissioner,
Puducherry Municipality,
Puducherry.

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