



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.18396 OF 2020

AND

W.M.P.NO.22784 OF 2020

R.Arutprakasam

... Petitioner

.Vs.

The District Collector,  
Gundu Salai Road,  
Pennaiyar Road,  
Manjakuppam,  
Cuddalore - 607 001.

... Respondent

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records connected with the proceedings issued in A2/24897/2019 dated 31.08.2019 - 2 passed by the Respondent herein and quash the same and consequently direct the Respondent to reinstate the petitioner into service.

For Petitioner : Mr.S.Ilamvaludhi

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 Certiorarified Mandamus, to call for the records connected with the proceedings issued in A2/24897/2019 dated 31.08.2019 - 2 passed by the respondent herein and quash the same and consequently, to direct the respondent to reinstate the petitioner into service.



2. According to the petitioner, the petitioner was appointed as Revenue Inspector in the year 2010 and he was promoted as Deputy Tahsildar. Thereafter, petitioner was placed under suspension by the respondent by the impugned Proceedings A2/24897/2019, dated 31.08.2019 under Sub-Rule (e) of Rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, for involvement of the criminal case in Crime No.10/2019 for the offence under Section 7 of the Prevention of Corruption (Amendment) Act, 2018 on the file of the Cuddalore Vigilance and Anti-Corruption. The said criminal case is pending before the concerned jurisdictional Criminal Court and the respondent has initiated disciplinary proceedings and charge memo has been framed against the petitioner is also pending.

3. According to the petitioner, the petitioner was placed prolong suspension by the respondent and not considered the review of the suspension order by the respondent. Therefore, he seeks an appropriate direction may be issued to the respondent to review the suspension order and to pass appropriate orders, within the time specified by this Court.

4. The learned Additional Advocate General appearing for the respondent would submit that the charge memo has been framed by the respondent/department and a criminal case is also pending as against the petitioner. At this stage, the request of the petitioner cannot be considered for revocation of suspension order. But however, in the light 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), the request of the petitioner would be considered by the concerned authority.

5. In the light of the above submissions made by the parties, this Court is inclined to pass orders as follows:-

- (i) The petitioner is directed to make a representation to the respondent within a period of four weeks from the date of receipt of a copy of this order.
- (ii) If such representation being received from the petitioner, the respondent is directed to consider and pass appropriate orders 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), within a period of twelve weeks, thereafter.



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

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Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

dm

To

The District Collector,  
Gundu Salai Road,  
Pennaiyar Road,  
Manjakuppam,  
Cuddalore - 607 001.

+1cc to Mr.S.Ilamvaludhi, Advocate, S.R.No.25886  
+1cc to the Government Pleader, S.R.No.25958

W.P.NO.18396 OF 2020

GSM(CO)  
PBS/26/05/2022