



W.P. No.21231 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.21231 of 2022

and

W.M.P. Nos.20216 and 20219 of 2022

P. Mariselvam

...Petitioner

VS.

The Superintendent
Central Prison
Cuddalore.

... Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the respondent in connection with the impugned order passed by him in Ref. No.9044/G1/2022, dated 03.06.2022 and quash the same and direct the respondent to reinstate the petitioner into service with all consequential service and monetary benefits.

For petitioner : Mr.K.Venkataramani
Senior counsel
for Mr.M.Muthappan

For respondents : Mr.L.S.M. Hasan Fizal
Addl. Govt. Pleader

ORDER



W.P. No.21231 of 2022

The petitioner has challenged the suspension order dated 03.06.2022 passed against him in this writ petition.

2. The learned counsel for the petitioner on instructions would now submit that the petitioner is willing to give a representation to the respondent seeking for revocation of the impugned suspension order, provided the respondent considers the same on merits and in accordance with law, within a time frame to be fixed by this Court.

3. The petitioner categorically contends in this writ petition that the charge memo issued against him is arbitrary and illegal. It is also submitted by the learned counsel for the petitioner that the enquiry in the disciplinary proceedings has already commenced.

4. G.O. Ms. No.81, Human Resources Management (N) Department, dated 04.08.2022 has been issued by the Government under which guidelines have been framed for revocation of suspension orders. Therefore, necessarily the respondent will have to adhere to the said G.O. and pass final orders on the petitioner's representation seeking for revocation of the impugned suspension order.

5. No prejudice would be caused to the respondents, if a direction



W.P. No.21231 of 2022

is issued to them to consider the petitioner's representation, as and when received, seeking for revocation of the impugned suspension order dated 03.06.2022 and a direction is issued to the respondent to conclude the enquiry proceedings and pass final orders within a time frame to be fixed by this Court.

6. After considering the rival submissions, this writ petition is disposed of by directing the petitioner to submit a representation to the respondent requesting the respondent to revoke the impugned suspension order dated 03.06.2022 passed against him, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the respondent shall pass final orders on the said representation, within a period of four weeks thereafter, in the light of the G.O. Ms. No.81, Human Resources Management (N) Department, dated 04.08.2022. The respondent is also directed to complete and conclude the enquiry proceedings initiated against the petitioner and pass final orders, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this writ petition is disposed of.



W.P. No.21231 of 2022

No costs. Consequently, connected miscellaneous petitions are closed.

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Note : Upload copy on 18.10.2022

Issue order copy on or before 19.10.2022

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

vsi2

To :

The Superintendent

Central Prison

Cuddalore.

ABDUL QUDDHOSE, J.



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W.P. No.21231 of 2022

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W.P. No.21231 of 2022

17.10.2022