



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.26025 of 2021
and
W.M.P.No.27472 of 2021

J.Saminathan

... Petitioner

vs.

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.The Revenue Divisional Officer,
Arani, Tiruvannamalai District.

3.The Tahsildar,
Jamunamarathur Taluk, (Polur Taluk)
Tiruvannamalai Dist.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent relating to the order in Proceedings Ref. No.A3/12004/2014 dated 28.09.2014 to quash the same and to issue consequential directions to the respondents to revoke the order of suspension and reinstate the petitioner in service with all consequential benefits.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.Haja Nozirudeen,
Additional Advocate General
Assisted by
Mrs.Anitha
Special Government Pleader

O R D E R

This writ petition has been filed for issuance of Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent relating to the order in Proceedings Ref. No.A3/12004/2014 dated 28.09.2014 to quash the same and to



issue consequential directions to the respondents to revoke the order of suspension and reinstate the petitioner in service with all consequential benefits.

2. According to the petitioner that the petitioner was placed under suspension by Proceedings in Ref. No.A3/12004/2014 dated 28.09.2014 for the involvement in the criminal case for the offence under Sections 7 and 13(2) r/w Section 13(1)(d) of the Prevention of Corruption Act, 1988. On the earlier occasion, the petitioner has approached this Court in W.P.No.7935 of 2015 seeking revocation of the impugned suspension order. This Court by an order dated 10.12.2020 dismissed the said writ petition and directed the petitioner to submit a fresh representation within a period of two weeks from the date of receipt of a copy of the order and further directed the respondents to consider the same and pass orders thereon on merits in accordance with law, as expeditiously as possible.

3. Thereafter, the petitioner made a representation dated 02.02.2021 to the respondents for revocation of the impugned suspension order. Thereafter, the Tahsildar, Jamunamarathur Taluk/the 3rd respondent by proceedings in Lr. No.13/2004/2019 dated 17.02.2021 has forwarded the proposal to the Revenue Divisional Officer, Arani, Tiruvannamalai District/the 2nd respondent, requesting for revocation of the impugned suspension order.

4. According to the Tahsildar, Jamunamarathur Taluk/the 3rd respondent, so far, the Revenue Divisional Officer, Arani, Tiruvannamalai District, has not passed any final orders. Therefore, in the light of the aforesaid recommendation made by the Tahsildar, Jamunamarathur Taluk/the 3rd respondent, an appropriate direction may be issued to the Revenue Divisional Officer, Arani, Tiruvannamalai District/the 2nd respondent herein, to consider the petitioner's representation dated 02.02.2021 and pass appropriate orders, within the time specified by this Court.

5. The learned Additional Advocate General appearing for the respondents submitted that the said proposal would be considered 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).

6. In view of the above submissions made by the parties and without expressing any opinion on merits, this Court is inclined to direct the 2nd respondent to consider the petitioner's representation dated 02.02.2021 and pass appropriate orders in accordance with law, as expeditiously as possible, within a period of six weeks from the date of receipt of a copy of this order.



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

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Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

dm

To

- 1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.
- 2.The Revenue Divisional Officer,
Arani, Tiruvannamalai District.
- 3.The Tahsildar,
Jamunamarathur Taluk, (Polur Taluk)
Tiruvannamalai Dist.

+1cc to Government Pleader SR. No.22774

W.P.No.26025 of 2021

NR (CO)

PR (05/04/2022)