



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.2.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.23956 of 2021

1 K.Mohanapriya
W/o.Arun Sankar,
No.16 /105 Thonnai Gurusami Kovil Street,
Ramanathapuram 623501. ... Petitioner

Vs.

1 The District Collector
Collector Office Thiruvallur District.
2 The District Revenue Officer
Thiruvallur District.
3 The Revenue Divisional Officer,
Thiruvallur District. ... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondent to revoke the suspension order passed by the 3rd respondent in his proceedings R.C.No.146 /2021 / A1 dated on 01/02/2021 and reinstate the petitioner in the respondent department based on the petitioner representation on 06/09/2021 in view of the judgment rendered by the Apex court in Ajay kumar Choudhary Vs Union of India with in a time frame.

For Petitioner : No appearance

For Respondents : Mr.A.M.Ayyadurai, G.A.

O R D E R

The writ petitioner while working as Village Administrative Officer alleged to have been received illegal gratification of Rs.10,000/- for patta transfer for which criminal case has been registered by the Police under Sec.7 of Prevention of Corruption Act and the investigation is still pending. The petitioner was arrested and detained in police custody. Therefore, the respondent passed the suspension order



under clause (2) of sub rule (e) of Rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

2. According to the petitioner, charge sheet yet to be filed in the aforesaid criminal case and so far, the respondent has not issued charge memo to the petitioner. The petitioner seeks to revoke the suspension order passed by the respondent in the light of the judgment rendered by the Apex Court in ''AJAY KUMAR CHOUDHARY VS. UNION OF INDIA''

3. The learned Government Advocate appearing for the respondents would submit that subsequent judgment also taken note of by the disciplinary authority while considering the representation made by the petitioner.

4. In view of the above, this Court is not inclined to grant relief for revocation of suspension order. However, the respondents are directed to consider the representation of the petitioner, dated 6.9.2021 independently on its own merit and in accordance with law, as expeditiously as possible, preferably, within a period of 12 weeks from the date of receipt of copy of this order. The petitioner shall also enclose the copy of the representation, dated 6.9.2021 along with this order.

5. Consequently, the writ petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1 The District Collector
Collector Office Thiruvallur District.
- 2 The District Revenue Officer,
Thiruvallur District.
- 3 The Revenue Divisional Officer,
Thiruvallur District.

+1cc to the Government Pleader, S.R.No.11076

W.P.No.23956 of 2021

SSI(CO)
SU(03/03/2022)