



WEB COPY



W.P.No.24864 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 15.09.2022**

**CORAM :**

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR**

**Writ Petition No.24864 of 2022**

T.Maharaj

.... Petitioner

-Vs-

The Principal Secretary /  
Transport Commissioner  
Chepauk, Chennai-5.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to pass orders on the representation dated 30.07.2022 seeking revocation of suspension by reviewing the same.

For Petitioner : Ms.N.R.Jasmine Padma

For Respondents : Mr.M.Rajendran,  
Additional Government Pleader

**ORDER**

The prayer sought for herein is for a Writ of Mandamus directing the respondent to pass orders on the representation dated 30.07.2022 seeking revocation of suspension by reviewing the same.



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2. The petitioner has been working as Assistant at the respondent Department. He has been placed under suspension by order of the respondent dated 11.03.2020 and has been paid subsistence allowance. However, even after 26 months of suspension, the petitioner's suspension has not been reviewed so far. The petitioner has given a representation in this regard to the respondent on 30.07.2022 and since the same has not been considered, she has approached this Court by filing the present writ petition.

3. Heard Ms.Jasmine Padma learned counsel for the petitioner, who would submit that, as per G.O.Ms.No.81, Human Resources Management Department dated 04.08.2022 certain mandatory guidelines have been issued by the Government as to how the suspension of the Government employees has to be dealt with including review of the same periodically and based on which the suspension made against the petitioner in the year 2020 should be reviewed. Since the same has not been undertaken by the respondent, the petitioner has approached this Court. Learned counsel for the petitioner therefore seeks the indulgence of this Court to issue suitable direction to the respondent in this regard.

4. Heard Mr.M.Rajendran, learned Additional Government Pleader appearing for the respondent, who would submit that, whether the petitioner's



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suspension has further to be extended or can be revoked would be decided by making a review under the mandatory guidelines issued by the Government in G.O.Ms.No.81 and orders to that effect would be passed within a time frame that may be stipulated by this Court.

5. Having regard to the said submission made by the learned counsel for both sides especially the learned Additional Government Pleader appearing for the respondent, this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the respondent to consider the request of the petitioner through his representation dated 30.07.2022 for reviewing the order of suspension made against the petitioner in the year 2020 in the light of the guidelines issued by G.O.Ms.No.81, Human Resources Management Department dated 04.08.2022 and pass orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.”

6. With the above direction, this writ petition is disposed of. No costs.

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Index : Yes/No  
Internet : Yes/No  
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**R. SURESH KUMAR, J.**

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