



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 27335 of 2021

and

W.M.P.No.28839 of 2021

M.Maheswari

.. Petitioner

Vs.

1.The Director of Survey and Settlement,
'Survey House'
Chepauk,
Chennai-5.

2.The Assistant Director of Survey and Land Records,
Namakal District,
Namakkal.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records of the 1st respondent in RC.Y2/320/2019(1), dated 27.10.2021 and quash the same.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mrs.S.Anitha, Spl.GP

ORDER

The prayer sought for in the writ petition is to call for the records of the 1st respondent in RC.Y2/320/2019(1), dated 27.10.2021 and quash the same.

2. The case of the petitioner is that the petitioner was employed as Manager Technical in the Survey and Land Revenue Department and put in 38 years of unblemished service. During the year 2019, based on the complaints received by the Inspector of Directorate of Vigilance and Anti Corruption, the petitioner was placed under suspension by the 1st respondent vide proceedings dated 27.10.2021. Challenging the same, the present writ petition is filed.

3. Heard both sides and perused the materials available on record.



4. The learned counsel for the petitioner has submitted that based on the complaints received by the DVAC officials, the petitioner was placed under suspension under Clause (1) of sub rule (3) of Rule 17 of the Tamil Nadu Civil Services (Discipline & Appeals) Rules vide proceedings of the 1st respondent dated 27.10.2021 and the said order of suspension is still in force.

5. The learned counsel for the petitioner has brought to the notice of this Court that on the same day, another staff member namely M.Madheswari, Manager Technical of Survey Institute, Orathanadu was placed under suspension on the similar allegations and subsequently, the said order of suspension was revoked by the 1st respondent by proceedings dated 10.02.2022.

Therefore, the learned counsel for the petitioner seeks similar relief to the considered in respect of the petitioner.

6. Mrs. S.Anitha, learned Special Government Pleader takes notice on behalf of the respondents and submitted that the case of the petitioner will be considered by the first respondent and appropriate orders will be passed as per Rules, within a time frame as fixed by this Court.

7. In view of the fact that the order of suspension in respect of similar person namely M.Madheswari, Manager Technical of Survey Institute, Orathanadu has been revoked by the first respondent and considering the submissions made by the learned Special Government Pleader, this Court is inclined to issue directions to the 1st respondent. Accordingly, the following order is passed;

- i. The petitioner is directed to submit a representation seeking revocation of suspension along with necessary particulars to the first respondent.
- ii. On receipt of such representation, the first respondent is directed to consider the same and pass appropriate orders, in accordance with law as expeditiously as possible, preferably within a period of eight weeks thereafter.

8. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar



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To

1.The Director of Survey and Settlement,
Survey House
Chepauk,
Chennai-5.

2.The Assistant Director of Survey
and Land Records,
Namakal District,
Namakkal.

+1cc to M/s.L.Chandra Kumar, Advocate, S.R.No.28331
+1cc to the Government Pleader, S.R.No.28639

W.P.No. 27335 of 2021
and
W.M.P.No.28839 of 2021

BP (CO)
SB(04/05/2022)