



WEB COPY



W.P. No.31963 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.31963 of 2022
and
W.M.P. No.31404 of 2022

P.Elumalai

...Petitioner

VS.

The Deputy Inspector General of Registration,
Cuddalore,
Cuddalore District.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the order of the respondent dated 27.08.2022 in Proc. No.4055/A/2022, and quash the same.

For petitioner	: Mr.S. Indrajith for Mr.K. Selvaraj
For respondent	: Mr.K. Tippu Sulthan, Government Advocate

ORDER

This writ petition has been filed challenging the impugned suspension order dated 27.08.2022 issued to the petitioner.



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2. Heard Mr.S. Indrajith, learned counsel for the petitioner and

Mr.K.Tippu Sulthan, learned Government Advocate for the respondent.

3. According to the petitioner, even though the suspension order is dated 27.08.2022, till date no charges have been framed against him, even after a lapse of more than three months. The petitioner relies upon a judgment of the Hon'ble Supreme Court in the case of *Ajay Kumar Choudhary v Union of India through its Secretary and another reported in 2015 7 SCC 291* to substantiate his claim that in case, no charges have been framed within a period of three months from the date of the suspension order, the petitioner is entitled for revocation of the suspension order. At this stage, this Court cannot revoke the suspension order.

4. The only limited relief that can be granted to the petitioner at this stage is to permit him to give a representation to the respondent requesting for revocation of the impugned suspension order, dated 27.08.2022 and on receipt of the said representation, a direction can be issued to the respondent to consider the same on merits and in accordance with law in the light of the judgment relied upon by the petitioner in the case of *Ajay Kumar Choudhary v Union of India through its Secretary and another*



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reported in 2015 7 SCC 291, within a time frame to be fixed by this

Court.

5. For the foregoing reasons, this Court directs the petitioner to submit a representation to the respondent requesting for revocation of his suspension order dated 27.08.2022, 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 merits and in accordance with law, after giving due consideration to the judgment of the Hon'ble Supreme Court in the case of *Ajay Kumar Choudhary*, as stated supra, within a period of eight weeks thereafter.

6. With the aforesaid directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

29.11.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
The Deputy Inspector General of Registration,
Cuddalore,
Cuddalore District.



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ABDUL QUDDHOSE, J.

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