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W.P.No.33458 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.33458 of 2022
and WMP No.32897 of 2022

Muralidharan

... Petitioner

versus

- 1.The Joint Director of School Education, Chennai-6.
2. The Chief Educational Officer, Salem District.
3. The District Education Officer, District Educational Office, Aathur
4. The Circle Educational Officer, Thalaivasal, Salem District.

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Certiorarified Mandamus preferred against the suspension order issued by the 1st respondent vide R.C.No.31469/A4/S2/2021 dated 02.08.2021 to direct the respondents to call for the records and proceedings and direct the respondents to consider the petitioner's representation dated 29.10.2022 to reinstate the service.

For Petitioner : Mr.P.Anbalagan

For Respondents : Mr.D.Ravichander
Spl.G.P



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ORDER

This writ petition has been filed challenging the suspension order dated 02.08.2021 issued to the petitioner by the first respondent.

2. The petitioner is an Assistant. He has been suspended under the impugned order on the ground that he has committed a criminal offence. The petitioner has been charged for the offence punishable under Sections 420 and 506(i) IPC, as seen from the First Information Report, which is filed along with this writ petition.

3. According to the petitioner, even as per FIR, he is not directly involved in the commission of the alleged offence. The petitioner is also aggrieved for the prolonged suspension as the suspension order was issued on 02.08.2021 and even after a lapse of more than one year, the suspension continues.

4. Heard Mr.P.Anbalagan, learned counsel for the petitioner and Mr.D.Ravichander, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both the parties, the main writ petition



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has been taken up for final disposal.

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5. This Court is of the considered view that at this stage, this Court cannot interfere with the impugned suspension order. The only limited relief that can be granted to the petitioner is to direct the respondents to consider the petitioner's representation dated 29.10.2022 seeking for revocation of the suspension order and pass orders on merits and in accordance with law within a time frame to be fixed by this Court and no prejudice would be caused to the respondents if such a direction is issued by this Court.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 29.10.2022, seeking for revocation of the impugned suspension order dated 02.08.2021 within a period of four weeks from the date of receipt of a copy of this order.

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

13.12.2022

SR

Index: Yes/No

Speaking Order/Non-Speaking Order

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ABDUL QUDDHOSE,J.

sr

To

- 1.The Joint Director of School Education, Chennai-6.
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