



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.03.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.2617 of 2021

and WMP Nos.2156 and 2157 of 2021

WEB COPY

S.Appadurai

... Petitioner

Vs.

The District Collector
Tenkasi
Tenkasi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus to call for the records on the file of the respondent in connection with the impugned order of suspension passed by him in his proceedings Roc.No.N5/48026/2019 dated 13.12.2019 and the consequential impugned order of rejection passed in his proceedings Roc.No.N5/48026/2016 dated 24.11.2020 respectively and quash the both as illegal and arbitrary and consequently direct the respondent to reinstate the petitioner in service within the time limit that may be stipulated by this Court.

For Petitioner

: Mr.G.Thalaimutharasu

For Respondent

: Mr.N.Satheeshkumar

Additional Government Pleader

ORDER

The petitioner, who was working as Assistant Engineer was placed under suspension in proceedings dated 13.12.2019. The order of suspension reveals that on 12.12.2019 at 20.30 hrs., the petitioner was trapped by the Vigilance and Anti Corruption officials and a criminal case was registered in Crime No.14/2019 under Section 7 of the Prevention of Corruption Act. The petitioner was arrested for demand and acceptance of bribe of Rs.15,000/- from one Thiru.S.Vijayraj. Thus, the petitioner is placed under suspension.

2. Earlier the petitioner filed W.P.No.14082/2020 and this Court directed the respondents to review the suspension order in order dated 09.10.2020. Accordingly, the District Collector reviewed the order of suspension and considering the nature of allegations that the petitioner has involved in demand and acceptance of corruption, a criminal case was registered under the Prevention of Corruption Act, the representation was rejected and the suspension was allowed to be continued.



3. This Court is of the considered opinion that the order of suspension cannot be said to be prolonged at this point of time. The authorities have reviewed the order of suspension pursuant to the directions issued by this Court and confirmed the said order of suspension originally issued. Considering the seriousness of the allegations that the petitioner has involved in the corruption case and a criminal case also has been registered against him, it is not desirable to interfere with the order of transfer and consequently the order passed confirming the order of suspension. Thus, the writ petition is devoid of merits and stands dismissed. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

RR

To
The District Collector
Tenkasi
Tenkasi District.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-14743[F] dated 28/03/2022)

+1 CC to M/s.SPL GP (SR-14936[F] dated 28/03/2022)

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RK(05/04/2022) 2P 4C