



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.03.2022
CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD) No.3637 of 2022

and

W.M.P (MD) Nos.3167 and 3169 of 2022

S.Samuthirakani

... Petitioner

-vs-

1.The District Collector,
Tenkasi District.

2. The Assistant Director of Town Panchayats
Tirunelveli District.

3. The Executive Officer,
Vadakarai Keezh Pidagai Grade-1,
Town Panchayat, Tenkasi District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 3rd respondent in Na.Ka.No.16/2022 dated 29.01.2022 placing the petitioner under suspension, quash the same and consequently forthwith direct the respondents herein to regularize the period of suspension with all monetary and service benefits.

For Petitioner : Mr.S.Srinivasa Raghavan

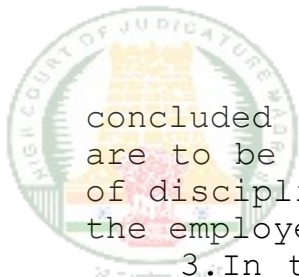
For Respondents : Mr.N.Satheesh Kumar
No.1 & 2 Additional Government Pleader

For Respondent : Mr.D.Sasikumar
No.3

O R D E R

The order of suspension has been issued in proceedings dated 29.01.2022 stating that the petitioner who was working as Office Assistant in Keezh Pidagai Town Panchayat has involved in misconduct and in respect of such misconduct the complaints are received from the general public. Therefore, by invoking Rule 5 of the Tamil Nadu Town Panchayat Service Rules the petitioner is placed under suspension.

2.The disciplinary authority on initiation of disciplinary proceedings must ensure that the proceedings are progressed and



concluded without any lapse of time. The Disciplinary proceedings are to be disposed of at the earliest point of time as prolongation of disciplinary proceedings would cause prejudice to the interest of the employee also.

3. In the present case, on receipt of complaint from the public and on the administrative interest, the petitioner was placed under suspension. Thus, the respondents are bound to issue charge memo without any loss of time and conduct the disciplinary proceedings as expeditiously as possible by providing opportunity to the writ petitioner to defend his case and following the procedure. However, the impugned order of suspension was issued on 29.01.2022 and the petitioner is under suspension for about 2½ months. Under these circumstances, this Court is not inclined to interfere with the order of suspension. The respondents are directed to continue the disciplinary proceedings and conclude the same as expeditiously as possible.

4. With these observations, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1. The District Collector, Tenkasi District.
2. The Assistant Director of Town Panchayats, Tirunelveli District.
3. The Executive Officer,
Vadakarai Keezh Pidagai Grade-1,
Town Panchayat, Tenkasi District.

+1 CC to M/s.SPL GP (SR-13496[F] dated 22/03/2022)

+1 CC to M/s.S.SRINIVASA RAGHAVAN, Advocate (SR-13622[F] dated 22/03/2022)

W.P. (MD) No.3637 of 2022

Date:21.03.2022

SA(30.03.2022) 2P 6C