



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM**

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W.P.(MD) No.3964 of 2022

L.Raymond

... Petitioner

-Vs-

1.The Secretary to Government,  
Home (Transport) Department,  
Secretariat, Chennai - 600 009.

2.The Principal Secretary-cum-Transport  
Commissioner,  
Chepauk,  
Chennai - 600 005.

3.The Regional Transport Officer,  
Madurai North,  
Matthuthavani,  
Madurai - 625 007.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2<sup>nd</sup> respondent ie., the Principal Secretary-cum-Transport Commissioner, Chennai in his Proc.R.No.3039/VA2/2018, dated 29.01.2018 and communicated by the Regional Transport Officer, Madurai North in Endt.No.8465/B1/2018 dated 29.01.2018 and the orders in R.No.503/R1/18 (E.O.No.51/2018) dated 30.01.2018 and communicated to the petitioner in Endorsement No.Endt No.10101/B1/2018 dated 02.02.2018 by the Regional Transport Officer, Madurai North and quash both the orders and consequently direct the first and second respondents to allow the petitioner to retire peacefully and to sanction the retirement benefits, subject to the result of the criminal case, within a specified time frame that may be fixed by this Court.

For Petitioner  
For Respondents

: Mr.S.Visvalingam  
: Mr.A.K.Manikkam  
Spl.Govt.Pleader

**ORDER**

The order of suspension dated 29.01.2018 issued by the Transport Commissioner is under challenge in the present Writ Petition.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The petitioner was serving as Personal Assistant to the Regional Transport Officer, Madurai (North), Madurai and on the eve of his retirement, the petitioner was placed under suspension, on the ground that grave charges of issuing the 'Badge' Certificates nearly 6,777 'Badge' Certificates based on the fake 8<sup>th</sup> / 10<sup>th</sup> passed School Transfer Certificates of Periuyanachi Middle School, Solaiyalagupuram, Madurai-11, duly colluded with private driving school individuals and received Rs.15,000/- to Rs.20,000/- from them, and thereby misused his official capacity and gained nearly Rs.10,16,55,000/-.

3. In respect of corruption allegation, the Hon'ble Division Bench has also decided recently that suspension need not be revoked. Furthermore, the allegation against the petitioner is very serious warranting an enquiry. This apart, the petitioner has already reached the date of superannuation and therefore, the suspension cannot be revoked, as the disciplinary proceedings are to be concluded.

4. In view of the fact that the petitioner attained the age of superannuation and placed under suspension and his services are extended, more so, the allegations are relatable to corruption, this Court is not inclined to interfere with the order of suspension and the authorities competent are bound to continue the disciplinary proceedings, conclude the same and pass final orders by following the procedures, as expeditiously as possible.

5. With these observations, the writ petitions stands dismissed. No costs.

Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

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3.The Regional Transport Officer,  
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+1 CC to M/s.SPL GP ( SR-11536[F] dated 11/03/2022 )

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SS/22.03.2022 : 3P/5C