



WP(MD)No.12076 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.08.2022**

CORAM:

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

W.P.(MD)No.12076 of 2022
and
W.M.P.(MD)No.8584 of 2022

M.Kesavan

... Petitioner

/vs./

1.The District Collector,
Collectorate,
Ramanathapuram District.

2.The Additional District Collector,
Department of Rural Development Agency(DRDA),
Collectorate,
Ramanathapuram District.

3.The Block Development Officer (BDO),
Panchayat Union Office,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned Suspension Order in Roc.V5/30863/2020 dated 30.09.2020 and consequential Impugned Rejection Order in Roc.V5/30863/2020 dated



WP(MD)No.12076 of 2022

25.01.2022 passed by the Respondent No.1 and consequently to issue a direction directing the Respondent No.1 to revoke the suspension of the petitioner and reinstate him in the post of Assistant in light of the order passed by the Hon'ble Supreme Court in Ajay Kumar Choudhary -vs- Union of India reported in 2015 (3) CTC 119 within the time stipulated by this Court and quash the same as illegal.

For Petitioner : Mr.Pinaygash

For Respondents : Mr.G.Suriyananth

Additional Government Pleader

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2.After the order of suspension was passed, the Government, in G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022, has passed orders, laying down the guidelines for review of prolonged suspensions. In the same Government Order, timelimits have also been fixed for completion of the criminal proceedings, departmental proceedings as well as continuance of suspension orders.



WP(MD)No.12076 of 2022

WEB COPY

3. When the present impugned suspension order was passed, the Government Order, in G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022, was not in force. In this background, it would be appropriate to grant liberty to the petitioner to make a fresh representation seeking for revocation of suspension order, in the light of G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022.

4. Accordingly, the petitioner is granted liberty to make a fresh representation, seeking for revocation of suspension order, in the light of G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022 and on receipt of the same, the first respondent herein shall consider such representation, on its own merits and pass appropriate orders, in the light of G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022, without reference to the impugned order of rejection, dated 25.01.2022, within a period of two (2) weeks from the date of receipt of such representation.



WP(MD)No.12076 of 2022

WEB COPY

5. As such, no interference is required in the present impugned orders.

Accordingly, this Writ Petition stands closed. There shall be no order as to costs.

Consequently, connected Miscellaneous Petition is closed.

24.08.2022

Index : Yes / No

Internet : Yes / No

sm



WP(MD)No.12076 of 2022

WEB COPY

TO:

- 1.The District Collector,
Collectorate,
Ramanathapuram District.
- 2.The Additional District Collector,
Department of Rural Development Agency(DRDA),
Collectorate,
Ramanathapuram District.
- 3.The Block Development Officer (BDO),
Panchayat Union Office,
Paramakudi,
Ramanathapuram District.



WEB COPY



WP(MD)No.12076 of 2022

M.S.RAMESH, J.

Sm

Order made in
W.P.(MD)No.12076 of 2022

Dated:
24.08.2022