



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.06.2022**

CORAM:

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

W.P. (MD)No.12686 of 2022

and

W.M.P (MD)No.8998 of 2022

WEB COPY

K.Lingasamy

... Petitioner

/vs./

The District Collector & Inspector of Panchayats,
Dindigul District,
Dindigul.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order, dated 13.08.2021 issued vide proceedings in Na.Ka.No.6591/2021/Vu.Va.9 on the file of the respondent herein placing the petitioner under suspension from service and consequently directing the respondent to reinstate the petitioner into service as Panchayat Clerk, Palakanoothu Panchayat, Dindigul District.

For Petitioner : Mr.Y.Prakash
For Respondent : Mr.M.Siddharthan
Additional Government Pleader

ORDER

For the petitioner's involvement for an offence under the Prevention of Corruption Act, 1988, he was placed under suspension on 13.08.2021. Since he has been under suspension for about ten months, he had given a representation, dated 14.12.2021, seeking for revocation of the suspension. The present Writ Petition has been filed, since the petitioner's representation has not been considered by the respondent.

2.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3.In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 14.12.2021 on its own merits and pass



appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

btr/sm

To

The District Collector & Inspector of Panchayats,
Dindigul District,
Dindigul.

+1 CC to M/s.Y.PRAKASH, Advocate (SR-27336[F] dated 22/06/2022)

+1 CC to M/s.SPL.GP (SR-27966[F] dated 24/06/2022)

Order made in

W.P. (MD) No.12686 of 2022

Dated:

22.06.2022

= SS/29/06/2022/ 2P 4C