

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.21932 of 2022

and

W.M.P(MD)Nos.16074 & 16075 of 2022

R.Mayilvaganan

... Petitioner

Vs

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the second respondent vide his proceedings in Rc.A2/4903/2022, dated 03.07.2022 and quash the same as illegal and consequently, direct the respondents to reinstatement the petitioner in his service on the basis of the petitioner's representation, dated 10.08.2022 within stipulated time by this Court.

For Petitioner : Mr.K.Arunraj
For Respondents : Mr.J.K.Jayaselan
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The petitioner is employed as Village Administrative Officer. He was implicated in Crime No.201 of 2022 registered on the file of Keeranur Police Station for the offence under Section 364 IPC. Subsequently, alteration report was filed adding offences under Sections 147, 364(A) and 506(i) IPC. The petitioner is said to have instigated the abduction of the victim. It is also stated that the petitioner was a tenant under the defacto complainant and since the victim had refused to return the advance amount the occurrence was triggered. The petitioner has been suspended from service. The petitioner seeks its revocation.

3. The primary ground urged by the learned counsel appearing for the petitioner is that the occurrence in question has nothing to do the official discharge of duties. Therefore, reinstatement of the petitioner may not prejudice public interest. But these are matters in which only the authority has to take a call. In any event, the petitioner is entitled to consideration of his representation. I, therefore, direct the first respondent to consider the petition

mentioned representation on merits and in accordance with law and pass final order within a period of eight weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter.

4. This writ petition is disposed of accordingly. Consequently, connected miscellaneous petitions are closed. No costs.

16.09.2022

Index : Yes / No
Internet : Yes/ No
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To

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Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Illuppur,
Pudukkottai District.

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G.R.SWAMINATHAN, J.

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