



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23501 of 2022
and
W.M.P. (MD)No.17589 of 2022

R.Kalaiselvi

... Petitioner

Vs.

The Transport Commissioner,
O/o. the Transport Commissioner,
Chepauk, Chennai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to revoke the suspension order passed by the respondent vide his proceedings in Proc.R.No.27196/VB1/2021 dated 06.09.2021 and consequently to reinstate the petitioner in service by invoking the power conferred under Rule 17(e)(6) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955 and by considering the petitioner's representation dated 22.09.2022 within the period that may be stipulated by this Court.

For Petitioner : Mr.Ajmal Khan, Senior Counsel,
For M/s.Ajmal Associates.

For Respondent : Mr.A.K.Manikkam,
Spl. Government Pleader.

ORDER

Heard the learned senior counsel for the writ petitioner and the learned Special Government Pleader for the respondent.

2.The petitioner was suspended from service by the respondent vide order dated 06.09.2021. The petitioner seeks revocation and reinstatement. As rightly pointed out by the learned Special Government Pleader, this Court will not be justified in issuing any positive direction, since the petitioner was arrested in connection with a vigilance case. However, the petitioner has given a representation dated 22.09.2022 to the respondent. The respondent is directed to consider the same and pass appropriate order on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. I make it clear



W.P(MD)N



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that I have not issued any positive direction. It is respondent to pass order one way or the other.

3.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

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To:

The Transport Commissioner,
O/o. the Transport Commissioner,
Chepauk, Chennai.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-49148[F] dated 13/10/2022)

+1 CC to M/s.SPL.GP (SR-49234[F] dated 13/10/2022)

W.P(MD)No.23501 of 2022
12.10.2022

AMS(31.10.2022) 2P 4C