



W.P(MD)No.23675 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23675 of 2022

and

W.M.P.(MD)No.17758 of 2022

G.Rajavelan

... Petitioner

Vs.

1.The Joint Director of Agriculture,
Tuticorin,
Tuticorin District.

2.The Assistant Director of Agriculture,
Sathankulam,
Tuticorin District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the impugned order passed by the respondent in his proceedings dated 06.05.2022 vide order in Proc.No. N6/4964/20222 and quash the same.

For Petitioner : Mr.M.Subash Babu

For Respondents : Mr.A.K.Manikkam
Special Government Pleader



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ORDER

Heard the learned counsel on either side.

2. The writ petitioner is working as Assistant Seed Officer in the department of Agriculture. Vide order dated 06.05.2022, he was suspended from service that was because he was implicated in Crime No.52 of 2022 registered on the file of Chinnalapatti Police Station, Dindigul District. The petitioner was arrested on 19.04.2022. On account of his arrest, he was rightly suspended from service.

3. The order of suspension cannot be questioned. The order impugned in the writ petition cannot be faulted. The prayer for issuance of writ of certiorari is declined. However, the real question that arises for consideration is whether the petitioner should continue to be under suspension. It is seen that following the demise of the petitioner's wife by committing suicide, the aforesaid criminal case came to be registered. It has nothing to do with the official duties of the writ petitioner. It is also seen that the petitioner's wife was related to him as uncle's daughter even before marriage. There is a civil dispute between the petitioner's mother and the father of the deceased. The petitioner's wife suicide appears to be fall-out of the said civil dispute. Be that as it may, by keeping the petitioner under suspension, public interest is not going to be served. The petitioner has also come out on bail.



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4. In this view of the matter, the first respondent is directed to revoke the petitioner's suspension and reinstate him in service. Such an order will be issued within a period of three weeks from the date of receipt of a copy of this order.

5. The writ petition is allowed on these terms. Consequently, connected miscellaneous petition is closed.

08.11.2022

Index : Yes / No

Internet : Yes/ No

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To

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Tuticorin,
Tuticorin District.

2.The Assistant Director of Agriculture,
Sathankulam,
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G.R.SWAMINATHAN, J.

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