



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23990 of 2022

K.Mohanram

... Petitioner

Vs.

State through
The District Collector,
Collector Office,
Theni-625531.

... 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 consider and pass orders on the petitioner's representation dated 11.08.2022 within a time stipulated by this Court.

For Petitioner : Mr.S.Srikanth
For Respondent : Mr.A.K.Manikkam
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner was suspended from service vide order dated 04.10.2021. He has given a representation for reviewing the same. Since it was not considered, the present writ petition has been filed.

3. When the matter was taken up for hearing, the learned Special Government Pleader requested time on the ground that he must get instructions from the respondent. He also would add that the petitioner was involved in a major scam and that therefore, the case will have to be viewed seriously.

4. If I am going to pass an order on merits, then, definitely I would have accepted the request of the learned Special Government Pleader and adjourned the matter. I am not going to do anything of the sort. It is beyond dispute that a suspended employee can call upon the employer to review the continuance of the suspension. The Hon'ble Apex Court in the decision reported in **(2015) 7 SCC 291**



(Ajay Kumar Choudhary Vs. Union of India) categorically ed this. I therefore direct the respondent to consider the petition mentioned representation and pass 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 that I have not gone into the merits of the matter. I have only directed time bound disposal of the petitioner's representation. It is open to the authority concerned to pass order one way or other.

5. The Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

rmi

To

The District Collector,
Collector Office,
Theni-625531.

+1 CC to M/s.SPL.GP (SR-50610[F] dated 20/10/2022)

W.P(MD)No.23990 of 2022
18.10.2022

AMS(31.10.2022) 2P 3C