



Writ Petition No.2704 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED :03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2704 of 2023

K.Periasamy

S/o.M.Kondusamy

...Petitioner

Vs

1.The Principal Secretary,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Fort St.George, Chennai - 600 009.

2.The Director General,
Highways Department,
76, Sarthar Vallabai Patel Road,
Guindy, Chennai - 600 025.

3.The Chief Engineer,
Highways Department,
(Construction and Maintenance),
76, Sarthar Vallabai Patel Road,
Guindy, Chennai - 600 025.

4.The Superintendent Engineer,
Highways Department,
(Construction and Maintenance),
Chikkanna College Road,
Tiruppur District - 641 602.

... Respondents



Writ Petition No.2704 of 2023

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the second respondent to consider revocation of the order of suspension dated 07.04.2022 passed in Proceedings No.791/Kamukkam 3(2)/2022-2, on the file of the second respondent herein and to reinstate the petitioner from his service as Divisional Accountant in the office of the fourth respondent and to proceed with the enquiry in accordance with law and the procedure within a time frame as may be fixed by this Court.

For Petitioner : Mr.P.Veeraraghavan

For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the second respondent to consider the representation made by the petitioner and to revoke the order of suspension passed against him on 07.04.2022 within the time frame fixed by this Court.

2. The petitioner was working as a Divisional Accountant and a complaint came to be given against the petitioner and an enquiry was conducted on 07.04.2022. Pursuant to the same, the second respondent,



Writ Petition No.2704 of 2023

through proceedings dated 07.04.2022, suspended the petitioner. The petitioner also gave a detailed representation to the second respondent explaining his defence.

3. The grievance of the petitioner is that the suspension is continuing for more than ten months and a representation was made to the second respondent to revoke the order of suspension, which was not acted upon. Hence, the present writ petition has been filed before this Court seeking for appropriate direction.

4. Heard Mr.P.Veeraraghavan, learned counsel for petitioner and Mr.D.Ravichander, learned Special Government Pleader, appearing for the respondents.

5. Learned Special Government Pleader appearing on behalf of the respondents submitted that the charge memo has already been given to the petitioner on 17.10.2022 and the petitioner has also given his reply for the same on 07.11.2022 and an enquiry officer has been appointed to conduct the enquiry.



Writ Petition No.2704 of 2023

6. Taking into consideration the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the second respondent to consider the representation made by the petitioner on 07.09.2022 wherein the petitioner has sought for revocation of the order of suspension and deal with the same on merits and in accordance with law and take a decision within a period of four (4) weeks from the date of receipt of a copy of this order.

7. The disciplinary proceedings that has been initiated against the petitioner shall also be completed as expeditiously as possible.

This Writ Petition is disposed of with the above direction. No costs.

03.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm



Writ Petition No.2704 of 2023

To

1. The Principal Secretary,
Government of Tamil Nadu,
Highways and Minor Ports Department,
Fort St. George, Chennai - 600 009.

2. The Director General,
Highways Department,
76, Sarthar Vallabai Patel Road,
Guindy, Chennai - 600 025.

3. The Chief Engineer,
Highways Department,
(Construction and Maintenance),
76, Sarthar Vallabai Patel Road,
Guindy, Chennai - 600 025.

4. The Superintendent Engineer,
Highways Department,
(Construction and Maintenance),
Chikkanna College Road,
Tiruppur District - 641 602.



WEB COPY



Writ Petition No.2704 of 2023

N.ANAND VENKATESH, J

gm

Writ Petition No. 2704 of 2023

03.02.2023