



WEB COPY



W.P.No.1843 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.1843 of 2023

K.Natarajan

... Petitioner

Vs.

The Assistant Director,
Office of the Assistant Director,
District Land Surveyor Office,
Nagapattinam District,
Nagapattinam.

... Respondent

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to reinstate the petitioner in service by considering his representation dated 14.10.2022 within the period as stipulated by this Court.

For Petitioner : Mr.D.Nellaiappan

For Respondent : Mrs.Indhumathi
Government Advocate

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ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondent to consider the representation made by the petitioner on 14.10.2022, wherein the petitioner has sought for revocation of his suspension.

2. Heard Mr.D.Nellaiappan, learned counsel appearing for the petitioner and Mrs.Indhumathi, learned Government Advocate appearing for the respondent.

3. The case of the petitioner is that he was appointed as Assistant Surveyor and when he was working as Surveyor at Thillaiyadi Firka, a case came to be registered against the petitioner in Crime No.1 of 2019 for the offence under Section 7 of Prevention of Corruption Act.

4. The petitioner was suspended pending the disciplinary proceedings on 06.06.2019. The grievance of the petitioner is that there has been absolutely no progress in the Criminal Case, which is pending in Spl.C.C.No.1 of 2020 before the Chief Judicial Magistrate, Nagapattinam. That



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apart, even the complainant, who was examined as P.W.1, did not support the case of the prosecution and the petitioner is facing suspension for more than 39 month. Hence, the petitioner made a representation to the respondent on 14.10.2022 requesting for the revocation of suspension. Since the same was not considered by the respondent, the present Writ Petition has been filed by the petitioner.

5. Considering the limited prayer sought for in this Writ Petition and without going into the merits of the case, there shall be a direction to the respondent to consider the representation made by the petitioner on 14.10.2022 on its own merits and in accordance with law and pass orders within a period of four (4) weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of with the above direction. There shall be no order as to costs.

27.01.2023

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N.ANAND VENKATESH, J.

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To

The Assistant Director,
Office of the Assistant Director,
District Land Surveyor Office,
Nagapattinam District,
Nagapattinam.

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27.01.2023