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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.4014 of 2023

A.Krishnamoorthy

Petitioner

vs.

1.The Commissioner,
Milk Production and Dairy Development,
Madhavaram,
Chennai – 600 051.

2.The General Manager,
ED 1116, The Coimbatore District Co-Op Milk Producer's Union Ltd.,
Pachapalayam, Kalampalayam Post,
Coimbatore – 641 010.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to pass orders on the representation lastly submitted on 21.12.2022 to revoke the order of suspension passed in Na.Ka.No.5832/Estt-2/2022 dated 14.06.2022 and to reinstate the petitioner into service, with consequential and other attendant benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran
Senior Counsel for
Mr.S.Nedunchezhiyan

For Respondents : Mr.RU.Dinesh Rajkumar
Additional Government Pleader



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ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd respondent to consider the representation made by the petitioner on 21.12.2022, wherein, the petitioner is seeking for revocation of the order of suspension passed against him on 14.06.2022 and to reinstate him back to service.

2.Heard Mr.G.Sankaran, learned Senior Counsel appearing on behalf of the petitioner and Mr.RU.Dinesh Rajkumar, learned Additional Government Pleader appearing on behalf of the respondents.

3.The case of the petitioner is that he was holding a position of Senior Factory Assistant during the relevant point of time and based on a complaint given to the Vigilance, an FIR came to be registered in Crime No.9 of 2022 on 31.05.2022. The allegation made against the petitioner is that he had demanded money and hence, the FIR was registered for offence under the Prevention of Corruption Act. Pursuant to the same, the petitioner was placed under suspension as per the orders passed by the 2nd respondent on 14.06.2022.



4.The grievance of the petitioner is that he has been kept under prolonged suspension for more than six months and the representation made by him seeking for the revocation of suspension has not been considered and hence, the present writ petition has been filed before this Court seeking for appropriate directions.

5.Taking into consideration the limited relief sought in the present writ petition and without going into the merits of the case, there shall be a direction to the 2nd respondent to consider the representation made by the petitioner on 21.12.2022 and deal with the same on its own merits and in accordance with law and shall pass appropriate orders, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order.

6.This writ petition is disposed of with the above direction. No Costs.

13.02.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No



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N. ANAND VENKATESH, J.

SSR

To

- 1.The Commissioner,
Milk Production and Dairy Development,
Madhavaram,
Chennai – 600 051.
- 2.The General Manager,
ED 1116, The Coimbatore District Co-Op Milk Producer's Union Ltd.,
Pachapalayam, Kalampalayam Post,
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