



WEB COPY



W.P.No.4184 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2023

C O R A M

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**W.P.No.4184 of 2023**

V.Perumal

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Petitioner

**Vs.**

1. The Secretary to Govt. of Tamil Nadu,  
Human Resources Management Department,  
Secretariat, Fort St.George,  
Chennai-600 009.
2. The Chairman,  
Tamil Nadu Public Service Commission,  
TNPSC Road, Broadway,  
Chennai-600 003.
3. The Secretary,  
Tamil Nadu Public Service Commission,  
TNPSC Road, Broadway,  
Chennai-600 003.
4. The Joint Secretary/Inquiry Officer,  
Tamil Nadu Public Service Commission,  
TNPSC Road, Broadway,  
Chennai-600 003.

...

Respondents



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**PRAYER:** The Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 to 4 herein to consider the petitioner's representation dated 09.12.2022 and reinstate him into service based on the G.O.Ms.No.81, Human Resources management (N) Department, dated 04.08.2022.

For Petitioner : M/s.A.Jagadeeswari

For Respondents : Mrs.E.Indhumathi,

Government Advocate for R1

: Mr.Abrar Md.Abdullah for R2 to R4

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### **ORDER**

This Writ Petition has been filed for a direction to respondents 2 to 4 to consider the representation made by the petitioner on 09.12.2022 wherein the petitioner has sought for revocation of suspension and for reinstatement.

2. Heard Ms.A.Jagadeeswari, the learned counsel appearing on behalf of the petitioner, Mrs.E.Indhumathi, the learned Government Advocate appearing on behalf of the 1<sup>st</sup> respondent and Mr.Abrar Md.Abdullah, the learned counsel appearing on behalf of the respondents 2 to 4.



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3. The petitioner was working as an Assistant Section Officer during the relevant point of time and a criminal case came to be filed based on paper leakage relating to Group-I written Examination in the year 2016. In view of the same, the criminal case is now pending in C.C.No.2 of 2021 on file of the Special Court for Prevention of Corruption Act Cases, Chennai. The grievance of the petitioner is that the petitioner has been kept under suspension from the year 2017 onwards and representation has been made to revoke the same. Since the same was not considered, the present Writ Petition has been filed before this Court.

4. The learned standing counsel appearing on behalf of the respondents 2 to 4 submitted that the disciplinary proceedings have commenced and the same will be completed within the time limit fixed by this Court. The learned Standing counsel vehemently opposed revocation of the suspension order considering the gravity of the allegations made in this case.

5. In the considered view of this Court, since the disciplinary proceedings have already commenced, it will be more appropriate if a direction is issued to the 2<sup>nd</sup> respondent to complete the disciplinary proceedings within a period of twelve weeks from the date of receipt of a copy of this order.



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WEB COPY 6. This Writ Petition is disposed of with the above direction. There shall be no order as to costs.

**13.02.2023**

Speaking Order/Non-Speaking Order.

Internet : Yes/No.

Index: Yes/No.

Neutral Citation: Yes/No

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**N.ANAND VENKATESH, J.**

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