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W.P.No.30411 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.30411 of 2011
and M.P.Nos.1 and 2 of 2011

S.Kamatchi

.. Petitioner

Versus

1. The Director of Social Welfare Department,
Chepauk House,
Chennai - 600 005.

2. The District Social Welfare Officer,
Perambalur District,
at Perambalur.

3. The Commissioner,
Veppanthattai Panchayat Union,
Perambalur District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the records relevant to the order in Proc.No.27172 / Admn 5-1 / 2011, dated 06.07.2011 was passed by the 1st respondent and quash the same and thereby, direct the respondents to reinstate the petitioner into service with effect from 06.07.2011 with all consequential monetary and other service benefits.

For Petitioner : No Appearance

For Respondents : Mr.T.K.Saravanan,
Government Advocate



W.P.No.30411 of 2011

for RR-1 to 3

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ORDER

The petitioner is challenging the order, dated 06.07.2011, in and by which, the petitioner was placed under suspension.

2. There is no representation on behalf of the petitioner. As per the learned Government Advocate appearing on behalf of the respondents, the petitioner obtained bribe of Rs.1,500/- from one of the beneficiaries of Moovalur Ramamirtham Ammaiyar Marriage Finance Scheme and at the time of obtaining bribe, she was caught red-handed, pursuant to which, she was placed under suspension and investigation was completed in Special Case No.2 of 2013 is pending before the learned Chief Judicial Magistrate, Perambalur. So long as the criminal case with respect to demand of bribe is pending, since the petitioner has attained superannuation, the suspension cannot be revoked.

3. Trap cases where petitioners are caught red-handed have to be conducted with all swiftness and now, the case in Special Case No.2 of 2013 is said to be pending for the past ten years. Considering the fact that the matter is pending for more than ten years and the petitioner is also under



W.P.No.30411 of 2011

WEB COPY

suspension, the learned Chief Judicial Magistrate, Perambalur is requested to proceed with the trial of Special Case No.2 of 2013 as expeditiously as possible, in any event, not later than four months from the date of receipt of a copy of this order.

4. Accordingly, this Writ Petition is dismissed. No costs.
Consequently, connected miscellaneous petitions are closed.

30.11.2023

Index : yes
Speaking order
Neutral Citation : no
grs

To

1. The Chief Judicial Magistrate,
Perambalur.
2. The Director of Social Welfare Department,
Chepauk House,
Chennai - 600 005.
3. The District Social Welfare Officer,
Perambalur District,
at Perambalur.
4. The Commissioner,
Veppanthattai Panchayat Union,



W.P.No.30411 of 2011

WEB COPY

Perambalur District.
5. The Public Prosecutor,
High Court of Madras.

D.BHARATHA CHAKRAVARTHY, J.

grs

W.P.No.30411 of 2011
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30.11.2023



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W.P.No.30411 of 2011