



WEB COPY



W.P.No.20632 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12..07..2023

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.20632 of 2023

C.Chandrasekar

..... Petitioner

-Versus-

- 1.The Director General,
Highways Department,
Guindy, Chennai 600025.
- 2.The Chief Engineer (H),
Construction and Maintenance,
Chennai.
- 3.The Divisional Engineer (H),
Construction and Maintenance,
Dharmapuri.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to reinstate the petitioner in service by disposing of the petitioner's representation dated 31.05.2023 within such time as may be stipulated by this court.

For Petitioner : *Mr.R.Rameshraja*

For Respondents : *Mr.V.P.R.Elamparithi,*
Addl. Government Pleader for
RR1 to 3



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ORDER

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This writ petition has been filed seeking a writ in the nature of mandamus, directing the 1st respondent to consider the representation of the petitioner dated 31.05.2023 requesting to reinstate him in service.

2. Heard both sides.

3. The petitioner joined the services of the respondent department as Junior Assistant on 19.10.1995 and subsequently, he was promoted as Assistant on 19.10.1995. Now, on further promotion, he has been working as Superintendent, Construction and Maintenance, Palacode Sub Division in Dharmapuri District. While so, he was arrested in a trap proceedings conducted by the Department of Vigilance and Anti-Corruption on 07.02.2023 and was subjected to judicial remand in connection with the case in Crime No.01/AC/2023 for the alleged offence u/s 7(a) of The Prevention of Corruption Act, 1988 as amended in 2018. On the basis of the above, the petitioner was placed on suspension on 08.02.2023 by the respondent department. The petitioner now seeks to direct the 1st respondent to reinstate him in service.

3. When there is a criminal case of corruption pending and the petitioner has been placed under suspension pending disciplinary proceedings, no positive direction as prayed for in the present writ petition could be issued.



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This court does not find any merit in the writ petition and the same deserves only to be dismissed. The writ petition is dismissed accordingly. However, this court taking into consideration the plight of the petitioner directs the 1st respondent to consider the representation of the petitioner dated 31.05.2023 based on its own merits and pass appropriate orders in accordance with law as expeditiously as possible. No costs.

12..07..2023

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

To

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N.SATHISH KUMAR.J.,

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