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W.P.No.21688 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.21688 of 2023 &

WMP.No.21062 of 2023

T.Pugazhenth

... Petitioner

Vs

1. The State of Tamil Nadu
Rep. by its Additional Chief Secretary,
Animal Husbandry Department,
Fort St. George, Secretariat, Chennai – 600 009.
2. The Director of Animal Husbandry and Veterinary Service,
Office of the Director, Chennai – 600 035.
3. The Regional Joint Director of Animal Husbandry,
Ariyalur, Ariyalur District.
4. The Deputy Director,
Cattle Breeding and Fodder Development,
Udayarpalayam, Ariyalur District.
5. Mr.Suresh Christopher,
The Regional Joint Director of Animal Husbandry,
Ariyalur, Ariyalur District.

... Respondents



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Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the impugned suspension Order in Roc.No.23556/L1/2023 dated 05.07.2023 passed by the second respondent and quash the same and consequently direct the second respondent to re-instate the petitioner into service.

For petitioner : Mr.K.Balu

For respondents : Mr.P.Baladhandayutham,
Special Government Pleader – R1 to R4

Mr.M.Sathyanarayanan – R5 & R6

ORDER

This Writ Petition has been filed to quash the impugned suspension Order in Roc.No.23556/L1/2023 dated 05.07.2023 passed by the second respondent and consequently direct the second respondent to re-instate the petitioner into service.

2. The petitioner was placed under suspension from service in respect of grave allegation of charges against the petitioner. The suspension has been challenged mainly on the ground that the petitioner



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has already given a complaint against the fifth and sixth respondents and the fifth respondent has already been arrested. However, the petitioner has been suspended from service. Hence, seeking to quash the suspension, the present Writ Petition has been filed.

3. The learned Special Government Pleader appearing for the respondents would submit that the petitioner has been suspended from service on serious allegations of misappropriation and the charge memo will be issued to the petitioner immediately and hence, seeks to dismiss this Writ Petition.

4. In such view of the matter, when the petitioner has been suspended on the grave allegations, as a matter of fact, one cannot challenge the order of suspension and there is no merits in this Writ Petition.

5. Accordingly, this Writ Petition is dismissed. However, the



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respondent shall issue charge memo to the petitioner and conclude the disciplinary proceedings by giving an opportunity of personal hearing to the petitioner within a period of four months from the date of receipt of a copy of this Order. Consequently connected miscellaneous petition is closed. No costs.

24.07.2023

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Additional Chief Secretary,
Animal Husbandry Department,
Fort St. George, Secretariat, Chennai – 600 009.
2. The Director of Animal Husbandry and Veterinary Service,
Office of the Director, Chennai – 600 035.
3. The Regional Joint Director of Animal Husbandry,
Ariyalur, Ariyalur District.
4. The Deputy Director,
Cattle Breeding and Fodder Development,
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5. Mr.Suresh Christopher,
The Regional Joint Director of Animal Husbandry,
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N.SATHISH KUMAR, J.

VTC

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