



W.P.No.22922 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.22922 of 2023

S.Sivakumar

... Petitioner

Vs.

The District Collector,
Villupuram District,
Villupuram.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent to review the order of suspension in Na.Ka.No.Pa.Aa.2/104/2022, dated 09.03.2022, passed by the respondent and to consequently reinstate the petitioner into services with all consequential monetary and other attendant service benefits on the basis of the petitioner's representation dated 16.03.2023.

For Petitioner : Mr.M.Gnanasekar

For Respondent : Mr.E.Vedabagath Singh
Special Government Pleader



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ORDER

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This writ petition has been filed to direct the respondent to review the order of suspension in Na.Ka.No.Pa.Aa.2/104/2022, dated 09.03.2022, passed by the respondent and to consequently reinstate the petitioner into services with all consequential monetary and other attendant service benefits on the basis of the petitioner's representation dated 16.03.2023.

2.It is the case of the petitioner that he was placed under suspension vide the impugned order, dated 09.03.2022, for the alleged misappropriation of certain amount. A charge-sheet has been issued on 22.02.2023, for which, the petitioner states that he has submitted his explanation on 16.03.2023. The petitioner further states that he has paid the alleged amount of misappropriation to the tune of Rs.3,81,790/-. Despite the said fact, the petitioner's suspension has not been revoked. Though the petitioner has submitted his representation in this regard, dated 16.03.2023, the same has not been considered. Hence, the writ petition.

3.Heard the learned counsel for the petitioner, who submitted



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that the petitioner has been placed under prolonged suspension even after remittance of the alleged amount.

4.Mr.E.Vedabagath Singh, learned Special Government Pleader, who takes notice for the respondents, has not disputed the deposit of alleged amount of misappropriation to the tune of Rs.3,81,790/-, made by the petitioner.

5.Since the charge is with regard to misappropriation of funds and also considering the fact that the petitioner has paid the alleged amount of misappropriation, which is not disputed by the respondents, and that the petitioner is placed under prolonged suspension from the year 2022, the respondent is directed to issue appropriate orders following the guidelines issued by the Government in G.O.(Ms) No.81, Human Resources Management (N) Department, dated 04.08.2022, within a period of one month from the date of receipt of a copy of this order. Considering the gravity of the charges against the petitioner and having regard to the fact that the petitioner has deposited the alleged amount, the enquiry shall also be completed within a period of three months from the date of receipt of a copy of this order.



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6. With the above directions, this writ petition is disposed of. No costs.

04.08.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

The District Collector,
Villupuram District,
Villupuram.

N. SATHISH KUMAR, J.

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