



W.P.No.30315 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30315 of 2023

and

W.M.P. Nos.29901 & 29902 of 2023

B.Sivagami

...Petitioner

Vs

1.The Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.

2.The District Collector,
Tiruppur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records connected with the proceedings in Rc.No.2065/2022/A2 dated 28.01.2022 and Na.Ka.2065/2022/A2 (39032/2022/A2) dated 20.02.2023 passed by the second respondent herein and quash the same and consequently direct the second respondent to reinstate the petitioner into service.

For Petitioner : Mr.S.Ilamvaludhi

For Respondents : Mr.V.Manoharan

Additional Government Pleader



W.P.No.30315 of 2023

WEB COPY

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner seeks for quashing of the suspension order dated 28.01.2022 and the subsequent rejection order dated 20.02.2023.

3. Admittedly, the petitioner has been implicated in a criminal case in Crime No.2 of 2022 for an offence under Section 7 of the Prevention of Corruption Act. G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022, places an embargo for revocation of suspension to the Government servants who are involved in criminal cases.

4. It is only for the concerned authority to re-consider the petitioner's case, by exempting the petitioner from the purview of the Government Order and this Court, exercising its powers under Article 226 of the Constitution of India, will not venture into overlooking G.O.Ms.No.81, dated 04.08.2022.



W.P.No.30315 of 2023

WEB COPY

5. In this context, the petitioner is granted liberty to make a fresh representation to the respondents seeking for re-consideration of revoking the suspension order and on receipt of such a representation, the concerned respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of the representation.

6. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

20.10.2023

Index:Yes/No

Speaking order/Non-speaking order

hvk

]To

1.The Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.

2.The District Collector,
Tiruppur District.



WEB COPY



W.P.No.30315 of 2023

M.S.RAMESH,J.

hvk

**W.P.No.30315 of 2023
and
W.M.P.Nos.29901 & 29902 of 2023**

20.10.2023