



WEB COPY



W.P.No.32248 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32248 of 2023

&

W.M.P.No.31853 of 2023

A.Shanmuga Sundaram

...Petitioner

Vs

1. The Revenue Divisional Officer
Revenue Divisional Office
Cuddalore District

2. The Tahsildar
Kurichipadi Taluk
Cuddalore District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to revoke the order of suspension of the petitioner (Ref.No.A6/2359/2023 dated 29.07.2023 based on his application dated 26.10.2023 respectively as per the direction issued by the Government of Tamilnadu in G.O.Ms.No.81, Human Resource Management (N) Department dated 04.08.2022.



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For Petitioner : Mr.A.Arasu Ganesan

For Respondents : Mrs. V. Yamuna Devi
Special Government Pleader

ORDER

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

2. The petitioner seeks for quashing of the suspension order dated 29.07.2023 based on the representation of the petitioner dated 26.10.2023.

3. Admittedly, the petitioner has been implicated in a criminal case in Crime No.10 of 2023 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



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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.

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 eight weeks from the date of receipt of the representation.

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

11.2023

Index:Yes/No
Speaking order/Non-speaking order
gpa



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M.S.RAMESH,J.

gpa

To

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