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W.P.No.33745 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33745 of 2023

C.Suresh

...Petitioner

Vs

1. The Commissioner of
Revenue Administration, Ezhilagam
Chepauk, Chennai – 05

2. The District Collector
Ranipet District
Ranipet

3. The District Revenue Officer
Ranipet District
At Ranipet

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the petitioner's representation dated 20.03.2023 and thereby direct the respondents to reinstate the petitioner into service since 15.02.2023 with all service benefits and back wages.

For Petitioner : Mr.B.Sundarapandiyan



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For Respondents : Mrs.V.Yamuna Devi
Special Govt.Pleader for R1 to R3

ORDER

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

2. The petitioner seeks for a direction to the second respondent to consider the petitioner's representation dated 20.03.2023 and thereby direct the respondents to reinstate the petitioner into service with all service benefits and backwages.

3. Admittedly, the petitioner has been implicated in a criminal case in Crime No.1 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 two weeks from the date of receipt of the representation.

6. Accordingly, the Writ Petition stands disposed of. No costs.

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

To

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M.S.RAMESH,J.

gpa

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