



W.P.(MD)No.3414 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.3414 of 2023

and

W.M.P.(MD)Nos.3171 and 3172 of 2023

S.Umesh Kumar

... Petitioner

Vs.

1. The District Collector,
Thoothukudi District.

2. The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the second respondent in Roc.No.A-1/7135/2022, dated 04.07.2022 and quash the same and consequently, direct the second respondent to reinstate the petitioner in service as Village Administrative Officer.



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For Petitioner : Mr.R.Anand
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This Writ Petition has been filed to call for the records of the order passed by the second respondent in Roc.No.A-1/7135/2022, dated 04.07.2022, quash the same and consequently, direct the second respondent to reinstate the petitioner in service as Village Administrative Officer.

2. The case of the petitioner is that while he was working as Village Assistant Officer, the Deputy Superintendent of Police, Vigilance and Anti-Corruption, Thoothukudi Detachment, has falsely implicated a case against him in Crime No.5 of 2022 under Section 7(a) of the Prevention of Corruption Act, 1988 as amended in 2018 on the basis of the compliant given by one Muniyasamy. Citing the aforesaid criminal case, the second respondent, vide proceedings, dated 04.07.2022, suspended the petitioner from service. In order to revoke the same, after coming out on



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bail, he has sent a representation on 06.12.2022 to the second respondent and prayed for revocation of the same. Later, on 23.01.2023, he has sent a reminder to consider his representation. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the second respondent is directed to consider the representation of the petitioner, dated 06.12.2022, on merits and in accordance with law, within a specified period.

4. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court is not inclined to issue a positive direction for revocation of suspension order, but, however, directs the second respondent to consider the petitioner's representation, dated 06.12.2022 and pass



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appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

21.02.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The District Collector,
Thoothukudi District.
2. The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.



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M.DHANDAPANI,J.

vji

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