



W.P(MD)No.13755 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13755 of 2023

B.Kamaraj

... Petitioner

Vs

The Chief Engineer (Personnel),
TANGEDCO,
No.144, Anna Salai,
Chennai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to take necessary action regarding the petitioner's representation dated on 09.01.2023 judiciously and drop further action on the charge memo based on the judicial decision and re-instate the petitioner in service forthwith as ordered by this Court.

For Petitioner : M/s.V.Jeya Rani

For Respondent : Mrs.M.Parameswari
Standing Counsel



W.P(MD)No.13755 of 2023

ORDER

WEB COPY

Heard the learned counsel on either side.

2. The petitioner is a TANGEDCO employee. He is involved in a vigilance case. On account of his implication, he was also placed under suspension. The petitioner has given a representation seeking revocation of the suspension order. He also wants the disciplinary proceedings to be dropped.

3. As rightly pointed by the learned Standing Counsel appearing for TANGEDCO, the second part of the prayer deserves summary rejection. However, the prayer for reinstatement can be favourably considered. The petitioner is under suspension for more than 10 years. Where it is a case of prolonged suspension, this Court has been interfering. My attention is drawn to the order dated 30.11.2022 in W.P(MD)No.21163 of 2017 etc batch (*M.Mohandass & Others Vs The Chief Engineer & Others*). A learned Judge of this Court had directed revocation of the suspension and ordered reinstatement of the writ petitioners. The petitioner's case is also similar. A person cannot be placed under suspension without extracting work for a decade. I therefore direct the respondent to reinstate the petitioner forthwith and post him in any non-sensitive post.



W.P(MD)No.13755 of 2023

WEB COPY

4. This writ petition is allowed on these terms. There shall be no order as to costs.

13.06.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

The Chief Engineer (Personnel),
TANGEDCO,
No.144, Anna Salai,
Chennai.



WEB COPY



W.P(MD)No.13755 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.13755 of 2023

13.06.2023