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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2023

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.13813 of 2023
and
WMP(MD)No.11639 of 2023

K.Jeyakumar

... Petitioner

Vs.

The Revenue Divisional Officer,
Uthamapalayam, Theni District.

... Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus calling for the records pertaining to the impugned proceedings issued by the respondent in his proceedings in ROC No.1538/2023/A2 dated 13.03.2023 quash the same and consequently direct the respondent to reinstate the petitioner in the service and regularise the suspension period with all monitory benefits within time stipulated by this Court.

Petitioner : Mr.C.Jeganathan

For Respondents : Mr.T.Vilavankothai

Additional Government Pleader



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ORDER

Heard both sides.

2.The petitioner is working as Village Administrative Officer. By the impugned order, he has been suspended from service. The suspension was on account of the petitioner's implication in Crime No.6 of 2023 registered on the file of the AWPS, Theni District. The said criminal case has since been quashed by this Court vide order dated 19.04.2023 in CrI OP(MD)No.7076 of 2023. The parties also have since compromised the issue. Since the order of suspension is only based on the criminal case against the petitioner and since the criminal case itself has been quashed, the order of suspension has to be necessarily revoked. The order of suspension cannot be quashed. The respondent shall revoke the suspension order forthwith and without any delay and reinstate the petitioner thereafter.

3.This writ petition is allowed accordingly. No costs. Connected miscellaneous petition is closed.

30.06.2023

SKM



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To
The Revenue Divisional Officer,
Uthamapalayam, Theni District



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G.R.SWAMINATHAN, J.

SKM

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