



W.P.(MD).No.21961 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.21961 of 2023

and

W.M.P(MD)No.18313 of 2023

M.Meenakshi Sundaram

... Petitioner

Vs.

The District Collector,
Madurai Collectorate,
Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to defer the charge memo issued vide his proceedings in Na.Ka.No. Pa.A1/22799/2023 dated 04.08.2023 till disposal of criminal case registered in FIR Crime No.40 of 2021 dated 17.12.2021, based on the petitioner representation, dated 28.08.2023 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.P.Thambidurai
Government Advocate



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ORDER

The present writ petition has been filed seeking direction to the respondent to defer the charge memo issued vide his proceedings in Na.Ka.No. Pa.A1/22799/2023 dated 04.08.2023 till disposal of criminal case registered in FIR Crime No.40 of 2021 dated 17.12.2021, based on the petitioner representation, dated 28.08.2023 within the time limit that may be stipulated by this Court.

2. The petitioner was initially appointed as Village Administrative Officer on 17.03.2008 and thereafter, he got various promotions. Lastly, he was working as Deputy Tahsildar in the year 2022 at Usilampatti Taluk. Unfortunately, on 24.03.2023, the petitioner was remanded by the Anti Land Grabbing Special Cell, Madurai pursuant to the FIR filed against the petitioner in Crime No.40 of 2021, dated 17.12.2021 without considering the order passed by this Court in CrI.O.P(MD)No.545 of 2022, in which, the Inspector of Central Crime Branch was restrained from filing any final report against the petitioner. In view of the same, the respondent had suspended the petitioner vide proceedings, dated 27.03.2023.



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3. Assailing the said suspension order, the petitioner filed W.PMD)No. 14514 of 2023 before this Court and an order of interim stay was granted by this Court. On receipt of the copy of the interim order passed by this Court in the aforesaid writ petition, the petitioner requested the respondent in person to allow him to continue in the same place where he was working as Deputy Tahsildar i.e., Usilampatti by revoking the suspension order. Without revoking the suspension order, the respondent served charge memo on 22.08.2023 and directed the petitioner to submit a written explanation within a period of 21 days on 8 counts of charges. On 28.08.2023, the petitioner had made a representation to the respondent to defer the charge memo issued vide proceedings, dated 04.08.2023 till disposal of criminal case registered in Crime No.40 of 2021, dated 17.12.2021 by the Inspector of Central Crime Branch.

4. Without going into the merits of the case, this Court directs the respondent to consider the petitioner's representation, dated 28.08.2023 and pass orders in accordance with law. The said exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.



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5. Accordingly, this Writ Petition stands disposed of. No costs.
Consequently, connected Miscellaneous Petition is closed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

The District Collector,
Madurai Collectorate,
Madurai.



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L.VICTORIA GOWRI, J.

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