



W.P(MD)No.25001 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25001 of 2022

and

W.M.P.(MD)Nos.19101 and 19102 of 2022

A.R.Ponnazhagu

... Petitioner

Vs.

1.The Director of Elementary Education,
Chennai.

2.The District Educational Officer (Elementary),
Pudukkottai.

3.The Accountant General,
Chennai.

4.The Sub-Treasury Officer,
Ponnamaravathy,
Pudukkottai District.

5.The Sub-Treasury Officer,
Karaikudi,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to



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call for records of the 1st respondent dated 21.10.2022 in R.C.No.009013/I2/2020-1 and quash the same as illegal and arbitrary and also quash the consequential order of retention passed by the 1st respondent dated 21.10.2022 in R.C.No.009013/I2/2020-2 and in consequence thereof direct the respondent to allow the petitioner to retire from service with all retirement benefits.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.N.Satheesh Kumar,
Addl. Govt. Pleader for R1, R2, R4 & R5.
Mrs.S.Mahalakshmi,
Standing Counsel for R3.

ORDER

Heard the learned counsel on either side.

2.The petitioner was holding the post of Assistant Elementary Educational Officer at Pudukottai Union. By the impugned order, he has been suspended and retained in service. Challenging the same, this writ petition has been filed.

3.It is seen that the impugned order is a fall out of Crime No.2 of 2020 registered on the file Vigilance and Anti Corruption Wing,

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Pudukottai. The petitioner's fate is necessarily linked to the outcome of the criminal case.

4.Since the case is at the FIR stage, this Court can only give a limited direction. The Deputy Superintendent of Police, Vigilance and Anti-Corruption, Pudukottai is directed to conclude the investigation and file final report before the jurisdictional Court in Crime No.2 of 2020 within a period of four months from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. If the petitioner is exonerated in the final report, obviously, the suspension has to be revoked and all the retirement benefits of the petitioner should be disbursed.

5.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

26.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

ias

To:-

- 1.The Director of Elementary Education,
Chennai.
- 2.The District Educational Officer (Elementary),
Pudukkottai.
- 3.The Sub-Treasury Officer,
Ponnamaravathy,
Pudukkottai District.
- 4.The Sub-Treasury Officer,
Karaikudi,
Sivagangai District.

Copy to:-

The Deputy Superintendent of Police,
Vigilance and Anti-Corruption,
Pudukkottai.

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