



WEB COPY



W.P.No.3909 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.3909 of 2022 and
WMP.No.4056 of 2022

A.Murugesan

... Petitioner

Vs.

1.The Chief Engineer(Personnel),
Tamilnadu Generation and Distribution Corporation Ltd.,
TANGEDCO,
No.144, Anna Salai,
Chennai-02

2.The Chief Engineer,
O/o.The Chief Engineer,
Distribution TANGEDCO, Chennai Region(South),
Chennai

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records on the file of the second respondent in Memo.No.10572/CE/D/CSR/SRAdmo/A2/2020 dated 05.09.2020 and to quash the same and to issue consequential directions to the respondents to reinstate the petitioner in service subjected to the outcome of the Cr.No.2/AC/2020/CC-III, in the Court of Special Judge for cases under the Prevention of Corruption(Amendment) Act, 2018, Chennai



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For Petitioner : M/s.T.Dharani

For Respondents : Mr.David Sunder Singh,
Standing Counsel

ORDER

This writ petition has been filed challenging the order dated 05.09.2020 passed by the second respondent thereby suspended the petitioner from service.

2. Heard, the learned counsel appearing on either side.

3. The petitioner while was working as Administrative Officer in the Office of the Superintendent of Engineer, Maintenance & Distribution Circle, KK Nagar, South-I, Chennai, a criminal case was registered against the petitioner in crime No.2/AC/2020/CC-III for the offence punishable under Section 7 of Prevention of Corruption Act(Amendment), 2018 on the basis of the complaint lodged by one, J.Parthiban alleging that the petitioner had demanded Rs.10,000/- as bribe. In pursuant to the registration of FIR, he was arrested and



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remanded to judicial custody. Therefore, he was placed under suspension with effect from 04.09.2020. Now the Vigilance and Anti Corruption completed investigation in Crime No.2 of 2020 and filed final report. The same has been taken cognizance by the trial court and the petitioner is facing the trial. The petitioner has been charged for the offence under Section 7 of Prevention of Corruption Act and as such, the order of suspension cannot be revoked till the completion of trial. Therefore, there is no ground to quash the suspension order since there is no possibility for reinstating the petitioner into service. Hence, the writ petition is devoid of merits and liable to be dismissed.

4. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

05.01.2024

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

lok

To

- 1.The Chief Engineer(Personnel),
Tamilnadu Generation and Distribution Corporation Ltd.,
TANGEDCO,
No.144, Anna Salai,
Chennai-02
- 2.The Chief Engineer,
O/o.The Chief Engineer,
Distribution TANGEDCO, Chennai Region(South),
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