



WEB COPY



W.P.No.3006 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.02.2024

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

W.P.No.3006 of 2024 and  
WMP.Nos.3282 & 3283 of 2024

Manjula

...Petitioner

Vs.

1. The District Project Officer,  
Integrated Child Development Scheme,  
Perambalur District,  
Perambalur

2.The Block Development Officer,  
Integrated Child Development Scheme,  
Veppanthattai Block,  
Perambalur District

...Respondents

**Prayer :-** Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 08.09.2023 made in proceedings Se.Mu.Na.Ka.No.492/A1/2021 passed by the first respondent and to quash the same, consequently direct the respondents to reinstate the petitioner in service with all service and monetary benefits forthwith.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mrs.R.L.Karthika,  
Government Advocate

**ORDER**

This writ petition has been filed challenging the order of suspension dated 08.09.2023 passed by the first respondent.



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2. The petitioner was appointed as Anganwadi Assistant at Krishnapuram Colony Street, Veppanthattai Taluk, Perambalur District by the proceedings of the first respondent dated 31.08.2017. While she was in service, unknown persons had stolen her 7 sovereigns of gold chain. Therefore, she lodged complaint before the Inspector of Police, Arumbavoor Police Station. In pursuant to the said complaint, FIR was registered in crime No.251 of 2023 for the offence under Section 392 of IPC. While investigation, the investigation officer found that the petitioner is the accused and arrested her by altering the offence under Sections 109 and 211 of IPC. In pursuant to the arrest of the petitioner, she was placed under suspension by an order dated 08.09.2023.

3. The learned counsel for the petitioner would submit that as per GO.Ms.No.81 dated 04.08.2022, the order of suspension of service should not be allowed to continue more than three months without any valid reason. Therefore, the petitioner submitted representation to revisit the order of suspension and the same is pending.

4. On perusal of records, it is seen that in pursuant to the registration of FIR and arrayed as accused, the petitioner was arrested and



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remanded to judicial custody. Therefore, the petitioner was deemed to be suspended from her service from the date of arrest and issued order of suspension. Now the investigation is pending in crime No.251 of 2023 on the file of the Inspector of Police, Arumbavoor Police Station. So far the petitioner was not served with any charge memo since investigation is still pending. Therefore, this Court is not inclined to quash the suspension order. However, the petitioner made representation and it is pending.

5. Considering the above, the respondents are directed to consider the representation and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

12.02.2024

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

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To

1. The District Project Officer,  
Integrated Child Development Scheme,  
Perambalur District,  
Perambalur
2. The Block Development Officer,  
Integrated Child Development Scheme,  
Veppanthattai Block,  
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