



W.P.No.5043 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM:

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

W.P.No.5043 of 2024

K.Anandan

...Petitioner

-Vs-

The Principal Secretary/Commissioner,
The Greater Chennai Corporation,
Ribbon Building,
Chennai – 600 003.

... Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India
praying for the issuance of a Writ of Mandamus, directing the respondent
to consider petitioner representation dated 09.06.2023 and permit to re-
join in duty within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Mohameduduman

For Respondent : Mrs.Gopinathan
Standing Counsel

ORDER

This writ petition has been filed for direction directing the
respondent to consider petitioner representation dated 09.06.2023 and
permit to re-join in duty within the time stipulated by this Hon'ble Court.



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2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner, while he was working as a Road Worker, on the complaint alleging demand of illegal gratification to the tune of Rs.20,000/- for issuance of land approval to the land owner, a trap was fixed. In the said trap, the petitioner was arrested and remanded to judicial custody on 29.01.2020, in Crime No.03/AC/2020/CC-II for the offences under Sections 7 and 12 of the Prevention of Corruption (Amended) Act, 2018. Therefore, he was placed under suspension, by an order dated 03.02.2020, with effect from the date of detention i.e., 29.01.2020 by invoking Rule 9(9)(ii) and 9(10) of the Chennai Corporation Class III and IV (Discipline and Appeal) By Laws 1938. The petitioner submitted a representation for revocation of suspension, on the ground of prolonged suspension.



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4. The learned Standing Counsel appearing for the respondent would submit that the petitioner was served with a charge memo and Enquiry Officer has been appointed to take disciplinary enquiry. That apart, the petitioner had involved in a corruption case that too got hold in the trap. Therefore, the revocation of suspension cannot be possible.

5. However, the respondent is directed to conclude the disciplinary proceedings as against the petitioner, within a period of four months from the date of receipt of a copy of this order. If the disciplinary proceedings has not been completed within a period of four months, the respondent is directed to revisit the order of suspension and pass appropriate orders to revoke the order of suspension and place the petitioner in a non sensitive post, if any.

6. With the above directions, this writ petition stands disposed of.
There shall be no order as to costs.

28.02.2024
(½)

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
mn



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G.K.ILANTHIRAIYAN. J,

mn

To

The Principal Secretary/Commissioner,
The Greater Chennai Corporation,
Ribbon Building,
Chennai – 600 003.

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