



W.P. No. 8737 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2024

CORAM

THE HON'BLE MR. JUSTICE D. BHARATHA CHAKRAVARTHY

W.P. No. 8737 of 2024

V. Karunakaran

..Petitioner

Vs.

1. The District Collector,
Villupuram District,
Villupuram.
2. The Sub Collector,
Tindivanam,
Villupuram District.
3. District Revenue Officer,
Villupuram District,
Villupuram.
4. The Tahsildar,
Tindivanam Taluk Office,
Villupuram.

..Respondents



W.P. No. 8737 of 2024

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 2nd respondent, the Sub Collector, Tindivanam, to consider and pass orders on the petitioner's representation dated 28.08.2023 in the light of the order passed by the Hon'ble Supreme Court of India in *Ajay Kumar Chaudri V. Union of India reported in 2015(2) SCALES 432*, to revoke the suspension order, dated 05.01.2023 having reference R.C. No. A1/126/2023 on the file of the Sub Collector, Tindivanam.

For Petitioner :: Mr.G. Divya Bharathi
For Respondents :: Mr.G. Velu,
 Addl. Govt. Pleader

O R D E R

This writ petition is filed with a prayer to consider and pass orders on the petitioner's representation dated 28.08.2023 in the light of the order passed by the Hon'ble Supreme Court of India in *Ajay Kumar Chaudri V. Union of India reported in 2015(2) SCALES 432*, and to revoke the



W.P. No. 8737 of 2024

suspension order dated 05.01.2023 having reference R.C. No. A1/126/2023
on the file of the Sub Collector, Tindivanam.

2. It could be seen from the affidavit filed in support of the writ petition that the petitioner was suspended from service on account of pendency of criminal case against him under the Prevention of Corruption Act.

3. According to the learned counsel for the petitioner, the investigation is still pending.

4. ***A Full Bench of this Court in the judgment dated 15.03.2022 rendered in W.P. Nos. 2165 of 2015 & 21628 of 2018*** has also clarified the legal position vis-a-vis the judgment of the Hon'ble Apex Court in ***Ajay Kumar Choudhary's case***. Therefore, in the light of the law laid down by the Full Bench of this Court, the claim of the petitioner based on ***Ajay Kumar Choudhary's case*** is untenable.



W.P. No. 8737 of 2024

WEB COPY

5. However, at the same time, it is also necessary that the criminal case pending against the petitioner has to be investigated swiftly and charge sheet has to be laid. Therefore, the writ petition is disposed of on the following terms:

- (i) The prayer of the petitioner cannot be granted and as such, the same stands rejected.
- (ii) The Inspector of Police, Vigilance and Anti Corruption, Villupuram is directed to expedite the investigation in Crime No. 1 of 2023 and file the final report as expeditiously as possible, in any event, not later than 3 months from the date of receipt of a copy of this order.

No costs.

02.04.2024

nv



W.P. No. 8737 of 2024

To

WEB COPY

1. The District Collector,
Villupuram District,
Villupuram.
2. The Sub Collector,
Tindivanam,
Villupuram District.
3. District Revenue Officer,
Villupuram District,
Villupuram.
4. The Tahsildar,
Tindivanam Taluk Office,
Villupuram.
5. The Inspector of Police,
V & AC,
Villupuram.



WEB COPY



W.P. No. 8737 of 2024

D. BHARATHA CHAKRAVARTHY,J.

nv

W.P. No. 8737 of 2024

02.04.2024