



WEB COPY



W.P.No.21139 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

Writ Petition No.21139 of 2018
and W.M.P.No.24820 of 2018

C.Maduraiveeran

... Petitioner

Vs.

The Revenue Divisional Officer,
Vridhachalam.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, call for the records connected with the proceedings issued in Ref.A1/1612/2015 dated 10.06.2015 passed by the respondent herein and quash the same and consequently direct the respondent to reinstate the petitioner into service with all attendant benefits.

For Petitioner : Mr.R.Naresh Kumar

For Respondent : Mr.L.S.M.Hasan Gizal,
Additional Government Pleader



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ORDER

This writ petition has been filed against the order of suspension issued by the respondent in reference No.A1/1612/2015 dated 10.06.2015 and for a consequential direction to the respondent to reinstate the petitioner into service with all attendant benefits.

2. On behalf of the respondent, a counter affidavit has been filed.

3. During the course of hearing, the learned counsel appearing for the petitioner submits that, earlier the petitioner filed writ petition in W.P.No.296 of 2016 against the same order and the said writ petition was disposed of by order dated 06.01.2016 directing the respondent to consider the representation of the petitioner dated 28.09.2015, which is submitted for reinstatement and passed orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of that order.

3. The learned counsel appearing for the petitioner contends that inspite of specific direction from the Court, the request of the petitioner for reinstatement is not considered and no orders are passed on the



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representation submitted by the petitioner dated 28.09.2015. In view of the long pendency of the suspension order, the petitioner filed the present writ petition.

4. On the other hand, the learned Additional Government Pleader appearing for the respondent placing reliance on the averments made in the counter affidavit and contends that the order of this Court in W.P.No.296 of 2016 dated 06.01.2016 was complied by the respondent vide reference No.A/1612/2015 dated 28.08.2018, wherein it is stated that the petitioner is not entitled for reinstatement as the criminal case filed by the Vigilance and Anti-Corruption Department, Cuddalore is pending before the Court of Chief Judicial Magistrate, Cuddalore.

5. Having heard the submission of the learned respective counsel and upon careful perusal of the materials available on record, it appears that the order impugned in this writ petition is a suspension order issued by the respondent suspending the petitioner and already against the same order, the petitioner filed writ petition in W.P.No.296 of 2016 and it was disposed of on 06.01.2016 with a direction to the respondent to consider his representation for reinstatement.



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6. In the light of the said order, the respondent passed order on 28.08.2018 rejecting the request of the petitioner. Under these circumstances, in my considered opinion, at this stage, this Court cannot interfere with the order impugned in this writ petition.

7. To meet the ends of justice, it is appropriate to dispose of this writ petition granting liberty to the petitioner to challenge the order dated 28.08.2018 issued by the respondent, if so advised.

8. Accordingly, this writ petition is disposed of with liberty to the petitioner to challenge the order issued by the respondent in A/1612/2015, dated 28.08.2018, if so advised. No costs. Connected miscellaneous petition is closed.

15.02.2024

Index: Yes/No
Speaking Order: Yes/No
Neutral Citation: Yes/No
mp

To

The Revenue Divisional Officer,
Vridhachalam.



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BATTU DEVANAND, J.

mp

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