



WEB COPY

W.P.No.10987 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

THE HONOURABLE MR.JUSTICE **D. BHARATHA CHAKRAVARTHY**

W.P.No.10987 of 2024

S. Vijayalakshmi

... Petitioner

-Vs-

1. The Joint Commissioner (ST)
Tirupur Division
First Floor, AEPC Buildings,
Tiruppur.

2. The Assistant Commissioner (ST)
Kangayam Assessment Circle,
260 & 261, Tiruppur Road,
Kangayam 638 701.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to consider and pass orders on the petitioner's representation dated 05.02.2024 seeking for revocation of order of suspension vide Proceedings of the 1st respondent bearing 346/2023/A3, dated 20.09.2023.

For Petitioner : Mr.M.Himavanth

For Respondents : Mrs.K.Vasanthamala



ORDER

WEB COPY This writ petition is filed for issuance of a Writ of Mandamus to direct the 1st respondent to consider and pass orders on the petitioner's representation dated 05.02.2024 seeking for revocation of order of suspension vide Proceedings of the 1st respondent bearing 346/2023/A3, dated 20.09.2023.

2. The petitioner was convicted for offence under Section 138 of the Negotiable Instruments Act by judgment dated 13.09.2022. Even though sentence was suspended on appeal, the Appellate Court also while confirming punishment only modified the sentence by judgment dated 18.08.2023. Pursuant to the judgment of the Appellate Court, the petitioner was taken into custody and thereafter the petitioner has filed a criminal revision before this Court and thereafter the petitioner came out on bail. Since the petitioner was in custody for more than 48 hrs, the order of suspension dated 20.09.2023 has been passed.

3. The learned counsel for the respondents submitted that the petitioner did not even inform the custody and only upon coming to know from the other source, impugned order has been passed.



4. The learned counsel for the petitioner submitted that the petitioner is not questioning the order of suspension but has only made representation dated 08.02.2024 requesting the respondents to revoke the suspension.

5. The petitioner was suspended only on 05.09.2023, it is for the respondents to take up the question of review of suspension as per the rules and procedure. The petitioner has made a representation dated 08.02.2024 and the same shall also be taken into account while reviewing the suspension as per rules.

6. With the above observations, the writ petition is disposed of. No costs.

23.04.2024

Index : Yes/No
Speaking order/Non-speaking order
dpq

To

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D. BHARATHA CHAKRAVARTHY, J.

dpq

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