



W.P.No.18531 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

CORAM:

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

W.P.No.18531 of 2024

M.Ramamoorthy

...Petitioner

-Vs-

1. The State of Tamil Nadu,
represented by its Secretary,
Public Works (Estt-1-2) Department,
Secretariat,
Fort St.George,
Chennai – 600 009.
2. The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai -28.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records in G.O (D) No.62 Public works Estt-I-2) Department dated 28.05.2024 quash the same and consequently direct the respondents to pass orders for revocation of suspension, posting the petitioner in a non-sensitive post and further allow the petitioner to retire peacefully with all petitioner terminal benefits as per the guidelines issued in G.O.(Ms).No 81, Human Resources Management (N) Department dated 04.08.2022.

For Petitioner : Mr.C.Vigneswaran



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For Respondents : Mr.S.Arumugam
Government Advocate

ORDER

This writ petition has been filed challenging the order dated 28.05.2024, thereby rejected the request made by the petitioner for revocation of order of suspension dated 21.03.2023.

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

3. The petitioner had joined in the service of the first respondent in the year 1984. Thereafter, the petitioner was promoted to post of Assistant Engineer in the year 1998 and Assistant Executive Engineer in the year 2013. The petitioner was deputed to the second respondent Department for valuation of properties which are registered with the second respondent to avoid revenue loss to the exchequer. On the complaint FIR in Crime No.01 of 2023 has been registered as against the petitioner, for the offence punishable under Section 7 of Prevention of Corruption Act, by the Inspector of Police, Vigilance and Anti-



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Corruption, Thiruppur alleging that the petitioner had demanded a sum of Rs.1,00,000/- for valuing the property. The petitioner was arrested, pursuant to the registration of FIR. Therefore, the petitioner was deemed to be suspended by an order dated 21.03.2023.

4. The only contention raised by the learned counsel for the petitioner is that the petitioner was neither served with a charge memo nor the Vigilance Department filed final report so far. Therefore, the petitioner submitted a representation for revocation of suspension order and the same was rejected by an order dated 21.03.2023. Without considering G.O.Ms.No.81, Human Resources Management (N) Department dated 04.08.2022, the first respondent rejected the request made by the petitioner to revoke the order of suspension.

5. In view of the above, the petitioner is directed to submit a fresh representation seeking revocation of suspension order dated 28.05.2024. On receipt of the same, the first respondent is directed to consider the same and pass orders in the light of G.O.(Ms).No 81, Human Resources Management (N) Department dated 04.08.2022 on merits and in



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accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of.

There shall be no order as to costs.

12.07.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To
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1. The Secretary,
The State of Tamil Nadu,
Public Works (Estt-1-2) Department,
Secretariat,
Fort St.George,
Chennai – 600 009.
2. The Inspector General of Registration,
No.100, Santhome High Road,
Mandavelipakkam,
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Chennai -28.

G.K.ILANTHIRAIYAN. J,

mn



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