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W.P.No.11 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

CORAM:

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

Writ Petition No.11 of 2022
and W.M.P.Nos.13 & 14 of 2022

P.R.Sangeetha,
W/o.K.Ravi

... Petitioner

Vs.

1. The District Collector,
Development Wing,
Krishnagiri District,
Krishnagiri.

2. The Personal Assistant to District Collector (Development),
Krishnagiri.

3. The Inspector of Police,
Vigilance and Anti Corruption Unit,
Krishnagiri.

... Respondents

[R3-Suo motu impleaded as per order dated 02.04.2024 in
W.P.No.11/2022 by DBCJ]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the orders in (1) Proceedings Na.Ka.No.30561/2016/M3, dated 28.11.2016 of the second respondent and (2) Proceedings Na.Ka.No.30561/2016/M3, dated 19.02.2019 of the



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first respondent to quash the same and to issue consequential directions to the respondents to revoke the order of suspension and to pay 75% of the revised pay applicable to the petitioner's post as subsistence allowance with arrears from 01.06.2017 onwards with interest on delayed payment and to forthwith reinstate the petitioner in service with all consequential benefits.

For Petitioner : Mr.M.Ravi
For Respondents : Mr.Stalin Abimanyu
Additional Government Pleader
[R1 & R2]
: Mr.C.E.Pratap
Government Advocate
[Crl.Side] [R3]

ORDER

This writ petition is filed challenging an order dated 19.02.2019, in and by which, the petitioner's request for revoking the suspension is rejected by the first respondent.

2. It is seen that the allegation against the petitioner is that she demanded a bribe of Rs.1,000/- for releasing the benefits to the beneficiary and as such the beneficiary has lodged a complaint and thereby, a case in Crime No.3 of 2016 was registered on 24.11.2016 for the alleged offences under Section 7 of Prevention of Corruption Act, 1988. After investigation, a charge sheet in C.C.No.2 of 2019 was filed,



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which is now pending before the Chief Judicial Magistrate, Krishnagiri.

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3. Learned Government Advocate (Crl.Side) submits that there are totally 15 witnesses in this case and the matter is now pending for trial. P.W.1 examination is over and is now posted for P.W.2 examination on 23.04.2024.

4. In that view of the matter, since the petitioner is involved in a case of corruption and at the same time, the petitioner cannot kept under prolonged suspension, this Court *suo motu* impleaded the Investigating Officer as the third respondent, upon which, the above instructions are placed before this Court by the learned Government Advocate (Crl.Side).

5. Upon considering the over all facts and circumstances of the case, I am of the view that the interest of justice would be served, if the Chief Judicial Magistrate, Krishnagiri is directed to dispose of the case at an early date. Depending upon the outcome of the criminal case, the petitioner can revive her claim.

6. In view thereof, this writ petition is disposed of on the following terms:



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1. The impugned orders dated 28.11.2016 and 19.02.2019 are upheld.
2. There shall be a direction to the Chief Judicial Magistrate, Krishnagiri to expedite the trial in C.C.No.2 of 2019 and conclude the same at an early date, in any event not later than a period of three (3) months from the date of receipt of a copy of this order.
3. Depending upon the outcome of the criminal case, the petitioner would be entitled to seek review of her, case as the case may be.
4. The third respondent Investigating Officer shall also ensure that the witnesses are promptly produced before the Court and wherever the official witnesses are working outstation, their examination can also be done by virtual mode, if necessary.
5. No costs. Connected miscellaneous petitions are closed.

15.04.2024

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



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1. The District Collector,
Development Wing,
Krishnagiri District,
Krishnagiri.
2. The Personal Assistant to District Collector (Development),
Krishnagiri.
3. The Inspector of Police,
Vigilance and Anti Corruption Unit,
Krishnagiri.
4. The Chief Judicial Magistrate,
Krishnagiri.
5. The Public Prosecutor,
High court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

mp

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