



WEB COPY

W.P.No.21004 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

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THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.No.21004 of 2022
and W.M.P.No.20008 of 2022

M.Annamalai

... Petitioner

Vs.

The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai District

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire files leading to the suspension order made in R.No.A2/2265/2022 dated 26.03.2022 on the file of the respondent and quash the same and direct the respondent to reinstate the petitioner back to service by considering the representation dated 22.06.2022.

For Petitioner : Mr.N.Naganathan

For Respondent : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed for quashment of the impugned order



dated 26.03.2022 in R.No.A2/2265/2022 on the file of the respondent and to direct the respondent to reinstate the petitioner back to service by considering the representation dated 22.06.2022.

2. The case of the petitioner is that he was initially appointed as Village Assistant, Kolakkaravadi Village, Karunthuvambadi Group, Tiruvannamalai Taluk and District on 13.02.2008. While working as such, based on a complaint given by one Shankar against the petitioner and Village Assistant Officer, the petitioner was arrested on 24.03.2022 by the Inspector of Police, Vigilance and Anti Corruption Unit, Thiruvannamalai District in Crime No.04 of 2022 for the offence under Section 7 of the Prevention of Corruption Act, 1998 as if he allegedly demanded a sum of Rs.5,500/- as undue advantage for recommending the application for Transfer of Patta submitted by the complainant. Due to which, he was placed under Suspension through impugned order dated 26.03.2022. Aggrieved by the order of suspension, he come forward with this writ petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this



case. He further submitted that the respondent ought to have considered the petitioner's representation dated 22.06.2022 for revocation of suspension. He also relied upon the decision of the Hon'ble Supreme Court in ***Ajay Kumar Choudhary Vs. Union of India, reported in 2015 (3) CTC 119 SC***. Hence, he prayed to set aside the suspension order passed against the petitioner and to reinstate him in service.

4. The learned Additional Government Pleader appearing for the respondent filed a counter affidavit and submitted that the Inspector of Police, Vigilance and Anti Corruption has not filed the charge sheet after completing the investigation. He further submitted that on the date of the trap, it was established that the petitioner received the bribe amount from the complainant. Hence, he prayed for dismissal of the writ petition.

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

6. In view of the submissions of the learned counsel on either side, this Court, without going into the merits of the case, directs the disciplinary



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authority to conclude the disciplinary proceedings pending against the petitioner, within a period of three months from the date of receipt of a copy of this Order.

7. With these observations and directions, this writ petition is disposed of. It is made clear that the Court has not gone into the merits of the case and the authorities shall not be influenced by any of the observations made in this order and directed to pass appropriate orders on merits and in accordance with law. No costs. Consequently, connected writ miscellaneous petition is closed.

11.12.2024

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

To
The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai District



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VIVEK KUMAR SINGH, J.

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