



WEB COPY



Writ Petition No.23905 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.23905 of 2024

D.Babu
S/o.Durairaj

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai - 600 035.

2.The Secretary,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam, Chennai - 600 035.

3.The Executive Engineer &
Administrative Officer,
Tamil Nadu Housing Board,
Maraimalai Nagar,
Kancheepuram District - 603 209.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the third respondent to revoke the suspension order vide Memo No.DC2/19467/2015, dated 13.10.2017, by considering the petitioner's representation dated 02.02.2024 in the light of G.O (Ms) No.81, Human Resources



Writ Petition No.23905 of 2024

Management (N) Department, dated 04.08.2022 and consequently, to direct the third respondent to pay subsistence allowance to the petitioner during the suspension period from 13.10.2017 to till date.

For Petitioner : Ms.V.Soundharya Meenakshi

For Respondents : Mr.V.Logesh,
Standing Counsel

ORDER

This writ petition has been filed seeking issuance of writ of mandamus directing the third respondent to consider the representation made by the petitioner on 02.02.2024 wherein the petitioner is requesting for reviewing/revoking the suspension order passed against him.

2. Heard Ms.V.Soundharya Meenakshi, learned counsel for petitioner and Mr.V.Logesh, learned Standing Counsel appearing for respondents.

3. The case of the petitioner is that he was working as a watchman in the Tamil Nadu Housing Board. During the year 2017, a complaint came to be lodged against him based on which, a First Information Report was registered in Crime No.302 of 2017 by the



Writ Petition No.23905 of 2024

Nesapakkam Police Station. The petitioner was arrested and was remanded to judicial custody. In the light of this development, the petitioner was placed under suspension through proceedings of the third respondent dated 13.10.2017. The investigation was completed in the criminal case and final report was filed and the case is now pending in C.C.No.2851 of 2020 before the learned Metropolitan Magistrate (CCB & CBCID cases), Egmore, Chennai. Since the petitioner was on prolonged suspension, he made a representation seeking for reviewing/revoking the order of suspension. Since the same was not considered, the present writ petition has been filed.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to consider the representation made by the petitioner dated 02.02.2024 and take a decision on its own merits and in accordance with law within a period of six (6) weeks from the date of receipt of a copy of this order. The decision taken shall also be conveyed to the petitioner.

N.ANAND VENKATESH, J



WEB COPY



Writ Petition No.23905 of 2024

gm

This writ petition is disposed of with the above direction. No costs.

20.08.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

- 1.The Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai - 600 035.
- 2.The Secretary,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam, Chennai - 600 035.
- 3.The Executive Engineer &
Administrative Officer,
Tamil Nadu Housing Board,
Maraimalai Nagar,
Kancheepuram District - 603 209.

Writ Petition No.23905 of 2024