



W.P.No.31347 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.31347 of 2024

and

W.M.P.Nos.34021 & 34026 of 2024

N.Santhi,
Sweeper (under order of suspension),
Government Primary Health Centre,
Sarkarkollapatti,
Salem – 636 030.

.. Petitioner

Vs.

The Deputy Director of Health Services,
16, Omalur Main Rd, I Agraharam,
Salem,
Tamil Nadu – 636 001.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Ceriorarified Mandamus calling for the records of the respondent relating to the order in R.No.5409/E5/2019 dated 10.05.2019 of the respondent to quash the same and issue consequential directions to the respondent to reinstate the petitioner in service.

For Petitioner : Mr.M.Ravi



WEB COPY



W.P.No.31347 of 2024

For Respondent : Mr.M.Bindran
Additional Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the respondent dated 10.05.2019 and for a consequential direction to the respondent to reinstate the petitioner into service.

2.The case of the petitioner is that she was appointed as Sweeper in the year 1999. An FIR came to be registered in Crime No.5 of 2019, in which the petitioner was also implicated as an accused. She was arrested and remanded to judicial custody. In view of the same, the petitioner was placed under suspension by the respondent through proceedings dated 10.05.2019.

3.The grievance of the petitioner is that the order of suspension has not been reviewed and revoked and the representation made by the petitioner also did not evoke any response. That apart, the co-accused in this case who was also placed under suspension had filed W.P.No.9256 of 2020 and pursuant to the orders passed by this Court, he was



W.P.No.31347 of 2024

reinstated into service. It is under these circumstances, the present writ petition came to be filed before this Court.

4.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondent.

5.Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has been kept under suspension for more than five years and the fact that the co-accused in the same case who was also suspended has been taken back to service pursuant to the order passed by this Court in W.P.No.9256 of 2020, there shall be a direction to the respondent to deal with the representation made by the petitioner on 31.05.2024 and pass necessary orders revoking the suspension imposed against the petitioner and treat the petitioner on par with the co-accused who was also suspended and was reinstated back into service pursuant to the order passed in W.P.No.9256 of 2020. Necessary orders shall be passed within a period of four (4) weeks from the date of receipt of a copy of this order.



W.P.No.31347 of 2024

6.In the result, this Writ Petition is disposed of with the above directions. Consequently, the connected Miscellaneous Petitions are closed. No costs.

28.10.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

The Deputy Director of Health Services,
16, Omalur Main Rd, I Agraharam,
Salem, Tamil Nadu – 636 001.

N.ANAND VENKATESH, J.



WEB COPY



W.P.No.31347 of 2024

krk

W.P.No.31347 of 2024

28.10.2024