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W.P.No.25622 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.25622 of 2024
and W.M.P.Nos.27981 & 27982 of 2024

B.Suriya,
Sub Inspector of Survey,
(under order of suspension), Taluk Office,
Chinnasalem.

Residing at:
No.3/29 East Street, Kosapadi (Post & Village),
Sankarapuram (Taluk),
Kallakurichi District – 606 401.

.. Petitioner

Vs.

The Assistant Director of Survey & Land Records,
Villupuram District.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent relating to the proceedings made in Rc.A2/7188/2021 dated 13.12.2021, quash the same and to issue consequential directions to the respondent to reinstate the petitioner into service with all service benefits including monetary benefits.

For petitioner : Mr.M.Sedhumadhavan

For Respondent : Mr.P.Anandakumar
Government Advocate



ORDER

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This writ petition has been filed challenging the proceedings of the respondent dated 13.12.2021 suspending the petitioner from service based on the criminal case that pending against the petitioner.

2.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

3.The case of the petitioner is that she was working as a Sub Inspector of Survey in the Taluk Office at Chinnasalem. A criminal case came to be registered in Crime No.16 of 2021 and the petitioner was arrayed as an accused. The petitioner was arrested and remanded to judicial custody and that lead to the passing of the order of suspension by the respondent dated 13.12.2021 under Rule 17(2)(e) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

4.The further case of the petitioner is that she was later released on bail by the Special Court. The grievance of the petitioner is that she was under suspension for nearly two years without there being any progress in the criminal case. The petitioner made a representation dated



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10.03.2023 to review the order of suspension. Since the same was not considered, the present writ petition has been filed before this Court challenging the order of suspension passed by the respondent.

5.Taking into consideration the facts and circumstances of the case and the fact that the order of suspension was passed in the year 2021 and till now it has not been reviewed and the petitioner has also made a representation in that regard to the respondent on 10.03.2023, there shall be a direction to the respondent to deal with the representation made by the petitioner on 10.03.2023 on its own merits and in accordance with law and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order.

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

05.09.2024

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



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N.ANAND VENKATESH, J.

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To

The Assistant Director of Survey & Land Records,
Villupuram District.

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05.09.2024