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W.P.No.30680 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.30680 of 2022

WP.No.30680 of 2022

Arulmurugan

... Petitioner

Vs.

The Registrar,
The Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District, Tamilnadu

... Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of certiorarified mandamus calling for the records pertains to the impugned order passed by the respondent bearing reference office memo No.C3-1/12818/13093/2022 dated 07.04.2022 and quash the same, consequently direct the respondent to revoke the petitioner's suspension order and reinstate him in service subject to the outcome of criminal case which is pending investigation in crime No.10 of 2020 on the file of the District Crime Branch, Karur.

For Petitioner : Mr.P.R.Thiruneelakandan



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For Respondent : Mr.S.Sithirai Anandam,
Standing Counsel

ORDER

This writ petition has been filed challenging the order dated 07.04.2022 passed by the respondent, thereby rejected the request made by the petitioner to reinstate him into service.

2. The petitioner had joined in the Annamalai University as Office Assistant in the year 2017. Various employees were deputed to various Government Departments. Accordingly, on 15.06.2017, the petitioner was transferred to Project Office, ICDS, Karur. Once again, he was transferred to Child Development Project Office, ICDS, Perambalur Block, Perambalur as Office Assistant. While being so, the non salary disbursement (NSD) deduction of employees of Annamalai University employed in various Government Departments had been deducted and wrongly remitted in his bank account along with other employees. Therefore, FIR was registered in crime No.10 of 2020 on the file of the District Crime Branch, Karur for the offence under Sections 406, 409,



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420 of IPC r/w Section 66-C of IT Act, in which the petitioner is also one of the accused. In pursuant to the registration of FIR, the petitioner was suspended from service by an order dated 17.06.2021. Therefore, the petitioner submitted representation to revoke the order of suspension on the ground of prolonged suspension. In WP.No.8250 of 2022, this Court by an order dated 07.04.2022 directed to consider the representation submitted by the petitioner. However, it was not considered and rejected the request made by the petitioner.

3. On perusal of records, there is no record to show that the District Crime Branch, Karur concluded the investigation in crime No.10 of 2020 and filed final report. That apart, so far the petitioner has also not been served with any charge memo. The petitioner is now suffering with suspension from 17.06.2021.

4. Considering the above, the respondent is directed to revisit the above order of suspension and pass appropriate orders within a period of six weeks from the date of receipt of copy of this order subject



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to any disciplinary proceedings.

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5. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

16.02.2024

($\frac{1}{2}$)

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order

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To

The Registrar,
The Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District, Tamilnadu



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G.K.ILANTHIRAIYAN, J.

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