



W.P.No.30629 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30629 of 2024

R.Mathiazhagi,
Matron Grade – I,
Annai Sathya Memorial Government Children Home,
Cuddalore,
Cuddalore District.

.. Petitioner

Vs.

1.The Director,
Department of Social Defence,
Kellys,
Chennai – 600 010.

2.The Joint Director,
Department of Social Defence,
Kellys,
Chennai – 600 010.

3.The District Child Protection Officer,
District Collectorate Campus,
Cuddalore,
Cuddalore District.

4.The Superintendent,
Annai Sathya Memorial Government Children Home,
Cuddalore,
Cuddalore District.

.. Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to revoke the order of suspension issued against the petitioner by the 4th respondent in proceedings No.1/32341/2023, dated 15.10.2023, and issue a consequential direction to the respondents to reinstate the petitioner in service as Grade-I Matron at Annai Stahaya Government Children Home with all benefits.

For Petitioner : Mr.R.Saseetharan

For Respondents : Mr.P.Balathandayutham
Special Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to revoke the order of suspension issued against the petitioner by the 4th respondent through proceedings dated 15.10.2023 and to reinstate the petitioner into service as Grade-I Matron at Annai Sathya Memorial Government Children Home, Cuddalore.

2.Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.



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3.The case of the petitioner is that she was appointed as Grade-I Matron at the Government Women Rehabilitation Home at Chennai in the year 2016. The petitioner was deputed as Matron to the Annai Sathya Memorial Government Children Home, Cuddalore in the year 2021. The 4th respondent through proceedings dated 15.10.2023, placed the petitioner under suspension on the ground that the petitioner had beaten some children in the home. For the same incident, an FIR also came to be registered in Crime No.27 of 2023.

4.The petitioner was not paid subsistence allowance and therefore, the petitioner approached this Court and filed W.P.No.5710 of 2024. Pursuant to the directions issued by this Court, the petitioner was paid with the subsistence allowance during the period of suspension.

5.The grievance of the petitioner is that she is being kept under prolonged suspension even without initiating any departmental proceedings. The petitioner made representations in this regard. Since the same did not evoke any response, the present writ petition has been filed before this Court.



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6.Taking into consideration the facts and circumstances of the case and the basis on which the petitioner has been placed under suspension and the also considering the fact that the petitioner is under suspension for more than a year, there shall be a direction to the petitioner to submit a fresh representation before the 1st respondent seeking for review and revocation of the suspension order. A copy of the same shall also be marked to the 4th respondent. The 1st respondent shall deal with the representation on its own merits and in accordance with law and appropriate orders shall be passed within a period of four (4) weeks from the date of receipt of the fresh representation from the petitioner.

7..In the result, this Writ Petition is disposed of with the above directions. No costs.

18.10.2024

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



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To

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N.ANAND VENKATESH, J.

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