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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.30914 of 2024

R.Prabakaran

... Petitioner

Vs.

The Registrar,
Annamalai University,
Annamalai Nagar 608 002.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondent to revoke the order of suspension of the petitioner dated 04.03.2015 based his application dated 13.11.2023 as per the direction issued by the Government of tamil nadu in G.O Ms. No 81, Human Resources management (N) Department dated 04.08.2022

For Petitioners : Mr.K.Balu

For Respondent : Mr.S.Sithirai Anandam
Standing Counsel



ORDER

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This writ petition has been filed for issue of writ of mandamus directing the respondent to revoke the order of suspension passed against the petitioner on 04.03.2015, within time frame fixed by this Court.

2.Heard Mr.K.Balu, learned counsel appearing on behalf of the petitioner and Mr.S.Sithirai Anandam, learned Standing Counsel appearing on behalf of the respondents.

3.The petitioner was working as a Helper in the Civil Engineering Department at Annamalai University. On 04.03.2015, the petitioner was placed under suspension by the respondent through proceeding dated 04.03.2015 for certain alleged irregularities.

4.The grievance of the petitioner is that there has been absolutely no progress in the departmental proceedings for more than eight years and the petitioner is continued to be kept under suspension and the representation made



by the petitioner to revoke the order of suspension did not evoke any response.

It is under these circumstances, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner has been kept under prolonged suspension for nearly eight years and there has been no progress in the departmental proceedings, there shall be a direction to the respondent to deal with the representation made by the petitioner on 13.11.2023 on its own merits and in accordance with law and a decision shall be taken, within a period of four weeks from the date of receipt of copy of this order.

6. The respondent shall keep in mind the fact that the petitioner has been placed under suspension for more than eight years and the petitioner is being paid the subsistence allowance without extracting any work from the petitioner. Therefore, the payment of money to the petitioner cannot be continued without extraction of work. Hence, the respondent shall consider placing the petitioner in some non-sensitive post.



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N. ANAND VENKATESH, J.

SSR

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

23.10.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
SSR

To

The Registrar,
Annamalai University,
Annamalai Nagar 608 002.

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