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W.A.No.3287 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2024

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR. JUSTICE P.B.BALAJI

W.A.No.3287 of 2024

1. Inspector General of Registration,
No.100, Santhome High Road,
Chennai 600 028.

2. The Deputy Inspector General of Registration,
Vellore.

... Appellants

Vs.

N.E.Devarajan

... Respondent

Prayer : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 12.03.2024 made in W.P.No.6419 of 2024.

For Appellants : Mr.B.Vijay, Addl.Govt.Pleader

For Respondent : Mr. Bala & Daisy

JUDGMENT

(Order of the Court was made by D.KRISHNAKUMAR, J.)

This writ appeal has been filed to quash the order passed by the learned Single Judge in W.P.No.6419 of 2024, dated 12.03.2024 in and by which, the order of suspension passed by the appellants dated



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14.10.2019 was quashed and the appellants were directed to reinstate the respondent herein into service and post him in any one of the non sensitive post, till the disposal of the disciplinary proceedings as well as the criminal case and also directed the authorities concerned to complete the disciplinary proceedings, before this retirement.

2. Learned Additional Government Pleader appearing for the appellants submitted that the respondent was detained in custody on 12.10.2019 at 4.45 hours and continued to be under custody for a period of exceeding 48 hours. Hence, as per Rule 17(e)(2) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules 1955, the respondent was deemed to have been suspended from service with effect from the date of detention, until further orders and to that effect, suspension order was passed.

3. He also submitted that, a criminal case in Spl.S.C.No.14/2021 on the file of Chief Judicial Magistrate, Vellore is pending against the respondent for the offence under the Prevention of Corruption Act; and disciplinary proceedings has also been initiated and pending against the



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respondent under 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules 1955. He further putforth that, as per the order passed by the learned Single, the suspension order, dated 14.10.2019 was quashed. However, considering the pendency of the criminal case and also the disciplinary proceedings against the respondent, the appellant may be permitted to issue a fresh suspension order against the respondent.

4. Considering the submission made by the learned Additional Government Pleader and also taking into account the pendency of the criminal case as well as the disciplinary proceedings, we grant liberty to the appellants authorities to issue fresh suspension order against the respondent, if so advised.

5. Accordingly, this writ appeal is disposed of. There shall be no order as to costs.

(D.K.K, J.) (P.B.B., J.)

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Internet: Yes/No
Index : Yes/No
mst



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