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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.31266 of 2024

A.Sankar

..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 12.03.2015 based on 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 Manager (N) Department dated 04.08.2022.

For Petitioner : Mr.K.Balu

For Respondent : Mr.S.Sithirai Anandan
Standing counsel



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ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondent to revoke the order of suspension passed against the petitioner on 12.03.2015 by considering the application submitted by the petitioner on 13.11.2023.

2. Heard Mr.K.Balu, learned counsel for the petitioner and Mr.S.Sithirai Anandan, learned Standing counsel for respondent.

3. The case of the petitioner is that he was appointed as an office Assistant in the Annamalai University in the year 2006. Based on a criminal case, the petitioner was placed under suspension by proceedings dated 12.03.2015. Since the suspension was continuing for more than nine years, the petitioner made various representations requesting for revoking the order of suspension. Since the same was not considered, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case



and also of the fact that the suspension has been continuing for more than 9 years, 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 pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. The respondent shall keep in mind the fact that the petitioner is under suspension for more than nine years and he is being paid the subsistence allowance for more than nine years without extracting any work from the petitioner. Such wasteful expenditure should not be incurred by the University and the petitioner can be accommodated in some non-sensitive post and paid the salary after extracting work from him. This observation shall be kept in mind by the respondent.

5. This writ petition is disposed of with the above directions. No costs.

24.10.2024

Internet : Yes/No
Index : Yes/No
Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.

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To

The Registrar
Annamalai University,
Annamalai Nagar 608 002

WP No.31266 of 2024

24.10.2024