



WEB COPY



W.P.No.36559 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM:

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

W.P.No.36559 of 2023
and
W.M.P.No.36559 of 2023

M.Ajeeth Prasath

...Petitioner

-Vs-

- 1.The Chairman Cum Managing Director,
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO),
NPKRR Maaligai,
144, Anna Salai, Chennai – 600 002.
- 2.The Chief Engineer (Personnal),
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO),
NPKRR Maaligai,
144, Anna Salai, Chennai – 600 002.
- 3.The Superintending Engineer,
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO),
Thiruvannamalai Electricity Distribution Circle,
Thiruvannamalai District, Thiruvannamalai.
- 4.The Executive Engineer,
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO),
Thiruvannamalai Electricity Distribution Circle,



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Cheyar Division, Cheyyar,
Thiruvannamalai District.

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5.The Assistant Executive Engineer,
Tamilnadu Generation and Distribution
Corporation Limited (TANGEDCO),
Thiruvannamalai Electricity Distribution Circle,
Vembakkam,
Thiruvannamalai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records and quash the proceedings of third respondent in Memo No.612/ADO/ADM.III/A1/F.Sus/2023 dated 02.06.2023 and consequently reinstate the petitioner in service by considering his representation dated 25.09.2023 as per the law.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.K.Rajkumar
Standing Counsel

ORDER

This Writ Petition has been filed challenging the order of suspension dated 02.06.2023 issued by the third respondent and consequently to reinstate the petitioner into service by considering his representation dated 25.09.2023 as per the law.



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2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner had joined as a Technical Assistant on 07.09.2009 in the respondent Corporation and subsequently, he was promoted to the post of Assistant Engineer, on 04.07.2019. He had involved in a corruption case and as such, FIR was registered in Crime No.7 of 2023 by the Inspector of Police, Vigilance and Anti-Corruption, Thiruvannamalai, for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988. Pursuant to the criminal case, he was arrested and remanded to judicial custody. Therefore, he was placed under suspension by the third respondent by an order 02.06.2023.

4. The learned counsel for the petitioner would submit that though the petitioner was suspended from service on 02.06.2023, even till now, he was not served with any charge memo. Therefore, the order of suspension cannot be pending without any time limit. The petitioner had involved in the corruption case and as such, he was arrested and remanded to judicial custody.



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5. Therefore, the order of suspension cannot be cancelled. However, the third respondent is directed to serve the charge memo on the petitioner, within a period of four weeks from the date of receipt of a copy of this order and proceed with disciplinary enquiry.

6. In view of the above, this writ petition is disposed of. Consequently, connected Miscellaneous petition is closed. There shall be no order as to costs.

05.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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