



W.P.(MD)No.14858 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.14858 of 2024 &
W.M.P.(MD)No.13019 of 2024

R.Savariraj

... Petitioner

VS.

1.The Chief Engineer, (Distribution)
TANGEDCO,
Trichy Region,
Trichy District.

2.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
TANGEDCO,
Meenakshipuram post,
Dindigul, Dindigul District - 02.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Suspension order in Memo no.56/458/Adm III/A2/F.Doc/2011 dated 16.09.2011 on the file of the respondent no. 2 and quash the same as illegal and consequently direct the respondent no. 2 to revoke the suspension of the petitioner and reinstate the petitioner in the post of Assistant Engineer in light of the guidelines issued under



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chapter-II Section 2(3) of Tamil Nadu Electricity Board Employees Discipline and Appeal Regulations and G.O.Ms.No. 81(Human Resources Development) dated 04.08.2022 within a stipulated time.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.B.Ramanathan

ORDER

Heard Mr.I.Pinaygash, learned counsel appearing for the petitioner and Mr.B.Ramanathan, learned counsel appearing for the respondents.

2. The petitioner has filed this writ petition seeking to revoke the suspension order issued to him by the second respondent on 16.09.2011.

3. The petitioner who has been working as an Assistant Engineer in the TANGEDCO was given with an order of suspension on 16.09.2011 on the allegation that a case in Crime No.10/2009 has been registered against him for the offence punishable under Section 7 of the



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Prevention of Corruption Act. In pursuant to the said First Information Report registered by the Inspector of Police, Vigilance and Anti Corruption, Sivagangai, Charge Sheet has been filed against the petitioner and the case was also taken on file as Special C.C.No.48 of 2014 before the Special Court for trial of cases under the Prevention of Corruption Act, Sivagangai. After full fledged trial, Judgment has been passed on 10.07.2023, wherein, the petitioner was held not guilty and acquitted.

4. Mr.I.Pinaygash, learned counsel appearing for the petitioner submitted that the petitioner was neither given with any Charge Memo nor the order of suspension was reviewed subsequently.

5. Since the petitioner has been kept under prolonged suspension and even the criminal case which was pending against him ended in acquittal by holding him as not guilty for the charges framed against him, it is appropriate for the respondents to revoke the suspension and reinstate the petitioner into service by passing orders to that effect.



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6. In view of the above observations, the writ petition is **disposed of** and the respondents are directed to pass orders to revoke the suspension of the petitioner and reinstate him into service within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

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NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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R.N.MANJULA, J.

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