



W.P(MD) No.18335 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.18335 of 2024

and

W.M.P.(MD).Nos.15611 & 15615 of 2024

M.Rajasekaran

... Petitioner

Vs.

The District Collector,
Karur,
Karur District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the impugned order of suspension passed by the Respondent in his proceedings in Rc.A2/14371/2022 dated 22.07.2022 and the consequential impugned order passed by the Respondent in his proceedings in ந.க.அ2/14371/2022 dated 01.08.2023 and quash the same as illegal and consequentially to direct the respondent to reinstate the petitioner in service.

For Petitioner

: Mr.C.Venkatesh Kumar
for
M/s.Ajmal Associates

For Respondents

: Mr.A.Baskaran
Additional Government Pleader



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ORDER

The instant writ petition has been filed by a Thasildar, challenging his order of suspension dated 22.07.2022, and an order dated 01.08.2023, wherein the respondent had rejected a request for revocation of order of suspension.

2. The petitioner herein was suspended by an order dated 22.07.2022. The petitioner has given an representation on 04.05.2023, seeking revocation of suspension. Since, the said request was not considered, the petitioner had filed W.P.(MD).No.12452 of 2023 for a mandamus to revoke the order of suspension.

3. This Court by an order dated 25.05.2023, has disposed of the writ petition. Paragraph.4 of the said order is extracted as follows :

“There shall be a direction to the respondent herein to consider the petitioner's representation dated 03.05.2023, in the light of G.O. (Ms).No.81, Human Resources Management (N) Department dated 04.08.2022, on its own merits and pass appropriate orders in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order.”



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4. In compliance of the orders of this Court dated 25.05.2023, the impugned order has been passed by the respondent on 01.08.2023. A perusal of the impugned order reveals that the respondent has not considered the representation of the writ petitioner in the light of G.O.Ms.No.81, Human Resources Management dated 04.08.2022. But, has proceeded to reject the request of the petitioner for revocation of suspension. This Court is of the opinion that the order dated 01.08.2023 is not in compliance with the orders of this Court dated 25.05.2023 in W.P.(MD).No.12452 of 2023.

5. In view of the above said facts, this Court is inclined to set aside the order dated 01.08.2023, and directed the respondents to dispose the representation of the writ petitioner and the matter is remitted back to the file of the respondents herein for fresh consideration, in the light of the clause 11(xi) of G.O.Ms.No.81, Human Resources Management (N) Department dated 04.08.2022 and in the light of the observation made by this Court in Paragraph No.4 of the order made in W.P.(MD).No.12452 of 2023. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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6. With the above said observations, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

13.11.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No

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To

The District Collector,
Karur,
Karur District.



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R.VIJAYAKUMAR, J.

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