



W.P.(MD).No.29196 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29196 of 2024

and

W.M.P.(MD).No.24697 of 2024

Rajaram

... Petitioner

-vs-

The Superintending Engineer,
General Construction Circle,
TamilNadu Electricity Board,
K.Pudur,
Madurai.

... 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 in his proceedings in Ku.aa.No.03266/me.po/po.ni.va/mathu/oo.ni.a/nipi/u.4/ko.tha.pa.nee/2024 dated 05.06.2024 and quash the same and consequently direct the Respondent to revoke the petitioner's suspension and to reinstate the petitioner in service.

For Petitioner

: Mr.S.Poornachandran

For Respondent

: Mr.B.Ramanathan
Standing Counsel



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ORDER

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The instant writ petition has been filed by a Field Assistant working in the Respondent TANGEDCO, seeking to quash the order passed by the respondent herein on 05.06.2024, wherein he has been placed under suspension.

2. A perusal of the records reveal that there was a petty quarrel between the petitioner and his neighbours which has resulted in filing of case and counter case in Crime Nos.281 of 2024 and 282 of 2024 on the file of the K.Pudur Police Station. Pursuant to the implication in a criminal case, the petitioner was under judicial custody for a period of three days. Therefore, the first respondent TANGEDCO was constrained to place the petitioner under deemed suspension under the impugned order.

3. It could be seen from the FIR that the dispute is between the two neighbours on a trivial issue and the same has nothing to do with the discharge of his official duties. Considering the fact that the petitioner is under suspension for more than five months, the impugned order in this writ petition is set aside and the respondents are directed to reinstate the petitioner subject to the result of the said criminal proceedings.



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4. With the above said observations, this writ petition stands allowed.

No costs. Consequently, connected miscellaneous petition is closed.

09.12.2024

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

To

The Superintending Engineer,
General Construction Circle,
TamilNadu Electricity Board,
K.Pudur,
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R.VIJAYAKUMAR,J.

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