



W.P.No. 5265 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 18.02.2025

CORAM:

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.5265 of 2025

M. Dhanapal

... Petitioner

vs

1. The Regional Director of Municipal
Administration,
Regional Directorate of Municipal
Administration,
No.1, AYA Nadar Road,
Near Kodimarathumoolai,
Thanjavur 613 008.

2. The Commissioner,
Mannargudi Municipality,
Mannargudi, Thiruvarur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or direction in the nature of a writ directing the 1st respondent to consider the representation of the petitioner dated 01.03.2024 and 14.05.2024 and to review and revoke the order of suspension issued in Na.Ka.No.3979/2023/A2 dated 04.01.2024 on the file of the 1st respondent.



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For Petitioner : Mr. S. Doraisamy

WEB COPY For Respondents : Mr. T. Srinivasan
Special Government Pleader

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction to the first respondent to consider the representations given by the petitioner on 01.03.2024 and 14.05.2024. The petitioner has sought that the order of suspension which had been issued on 04.01.2024 should be revoked.

2. A perusal of the affidavit reveals that the petitioner had been remanded to judicial custody on 07.12.2023 on a complaint of demand and acceptance of bribe amount. The prosecution agency is the Vigilance and Anti Corruption Unit, Thiruvrur District. In this connection an FIR in Crime No.09 of 2023 had also been registered for the offences punishable under Section 7 of the Prevention of Corruption Act 1988. It is contended that since he had been detained in custody for a period of about 48 hours and more, he had been placed under suspension on and from 04.01.2024. The petitioner had given representations on



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01.03.2024 and 14.05.2024 seeking to revoke the suspension. Since the

same has not been considered, the present Writ Petition has been filed.

3. Let the petitioner give a fresh representation and the respondents may take a decision on that representation. The respondents may balance the fact that they are bound to pay subsistence allowance and continuous payment of subsistence allowance without extracting the work, would also be termed as an ineffective administration. The respondents may proceed further with the departmental proceedings. They may assist the prosecution in criminal case. They must also ensure that work is extracted from a public servant and he does not gain any benefit without discharging any duty.

4. A fresh representation may be given within a period of two weeks from the date of receipt of a copy of this order and thereafter within a period of four weeks, the respondents may take an appropriate action in that representation.



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5. With the above directions, this Writ Petition stands disposed of.

WEB COPY No costs.

18.02.2025

Internet : Yes / No

Index: Yes / No

Speaking order / Non speaking order

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To

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C.V. KARTHIKEYAN, J.

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