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W.P.No.10370 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.10370 of 2023

M.Karthikesan

...Petitioner

-Vs-

1.The Regional Deputy Director,
Department of Animal Husbandry,
Veliapaiyam,
Nagapattinam District.

2.The Zonal Joint Director,
Department of Animal Husbandry,
Nagapattinam District.

3.The Assistant Director,
Department of Animal Husbandry,
Nagapattinam District.

4.The Inspector of Police,
Vigilance and Anti Corruption Department,
Nagapattinam.

...Respondents

[R4 Suo-motu impleaded vide Order
dated 03.04.2023 made in
W.P.No.10370 of 2023 by PDAJ]

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for the issuance of a direction in the nature of Writ of Mandamus,
directing the respondents 1 to 3 to consider petitioner's representation dated
18.02.2023 in order to revoke the order of suspension vide in



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Na.Ka.No.1696/M/2021 dated 22.10.2021 passed by the 3rd respondent.

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For Petitioner : Mr.P.Muthamizhselvakumar

For Respondents : Mr.C.Prabhakaran
Government Advocate

ORDER

This writ petition is filed for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider petitioner's representation dated 18.02.2023 in order to revoke the order of suspension vide in Na.Ka.No.1696/M/2021 dated 22.10.2021 passed by the 3rd respondent.

2. The case of the petitioner is that he was appointed as Husbandry Assistant in the Department of Animal Husbandry. During the course of employment, the Inspector of Police, Poombugar had register the case in Crime No.432 of 2021 dated 23.09.2021 that one Durga Devi commits suicide in her home, in that case the petitioner name has been included as an accused. In the course of investigation, the petitioner was arrested on 18.10.2021 and remanded in the Judicial custody. According to the communication of the 1st respondent, the 3rd respondent had passed the order of Suspension proceedings vide Na.Ka.No.1696/A/2021 dated 22.10.2021 stating that suspending the petitioner from service on 18.10.2021. The



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petitioner was released on bail in the said criminal case. After that the petitioner had approached the respondents for seeking to revoke the suspension order, the same was not considered by the respondents. The petitioner had sent a detailed representation to the respondents dated 18.02.2023 to revoke the suspension order but till date his representation was not considered by the respondents. Hence, the writ petition.

3. The learned counsel for the petitioner submitted that the petitioner has given representation dated 18.02.2023 to revoke the order of suspension vide in Na.Ka.No.1696/M/2021 dated 22.10.2021 passed by the 3rd respondent and the same was not considered till date.

4. The learned Government Advocate appearing for the respondents submitted that the representation of the petitioner dated 18.02.2023, will be considered on merits and in accordance with law within a time frame fixed by this Court.

5. Heard the learned counsel on both sides and perused the materials available on record.



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6. In view of the submissions made by the learned Government Advocate, this Court without going into the merits of the case, directs the respondents 1 to 3 to consider the representation of the petitioner, dated 18.02.2023, in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of.

No costs.

23.01.2025

ssn

Index : Yes/No

Speaking/Non Speaking order



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J.SATHYA NARAYANA PRASAD, J.,

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