



W.P.No.11700 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2025

CORAM

THE HON'BLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**
W.P.No.11700 of 2023

D.Palanisamy

... Petitioner

VS.

1. The Revenue Divisional Officer,
Attur Revenue Division,
Salem.

2. The Tahsildar,
Gangavalli Taluk,
Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India
for issuance of a writ of Mandamus directing the 2nd respondent to
dispose of the petitioner's representation dated 24.02.2023.

For Petitioner : Mr.S.Vijayakumar
Senior Counsel
for Mr.K.N.Pandian

For Respondents : Mr.M.Rajendiran
Addl.Govt.Pleader



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ORDER

WEB COPY The present writ petition has been filed to issue a writ of Mandamus directing the 2nd respondent to dispose of the petitioner's representation dated 24.02.2023.

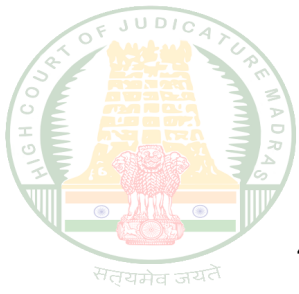
2. The case of the petitioner is that he was appointed as Village Assistant by the second respondent in his proceedings NoNe.Mu.No.15281/90(A4) dated 4.12.1990. During his tenure, one Raja lodged a false complaint against one K.Brindha, Village Administrative Officer for the alleged demand of bribe for transfer of patta in his individual name from the family patta in the month of May 2019. He further submitted that the petitioner is not the competent authority to take any decision in the matter for transfer of patta. The fact remains that there is absolutely no demand of bribe by the petitioner and the same was done only by Village Administrative Officer. Notwithstanding above, the police registered a complaint vide FIR No.11/AC/2019 dated 31.05.2019. Consequently, the petitioner was suspended from service by the second respondent in his proceeding ROC.No.1411/2019/A2 dated 02.06.2019. The order of suspension is a prolonged one and that it is the



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responsibility of the respondents to review the order of suspension periodically as contemplated under Rule 17(e) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. There is no response from the respondents for revoking the order of suspension in terms of law laid down by this Court. In the mean time, the Government issued G.O.Ms.No.81, Human Resources Management (N) Department dated 04.08.2022 wherein broad outline have been prescribed in the matter of review of suspension pending enquiry into the charges. Aggrieved by the order of suspension and also in the light of the G.O.Ms.No.81 dated 04.08.2022, the petitioner submitted a representation dated 24.02.2023 to the second respondent . But till date no action has been taken by the second respondent. Hence, the petitioner has filed the present writ petition before this Court.

3. The learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner dated 24.02.2023 will be considered on merits and in accordance with law within a time frame stipulated by this Court.



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4. Heard the learned counsel on either side and also perused the materials available on record.

5. In view of the above submissions made by the learned counsel on either side, the second respondent is directed to consider the representation of the petitioner dated 24.02.2023 and pass appropriate orders on merits and in accordance with law, within a period eight weeks from the date of receipt o a copy of this order.

6. In the result, the writ petition is disposed of with the above observation and direction. No costs.

10.01.2025

Index : Yes/No.
Internet : Yes/No.
Neutral Citation : Yes/No
Speaking : Non-speaking Order
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To

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Attur Revenue Division,
Salem.
2. The Tahsildar,
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J.SATHYA NARAYANA PRASAD, J.

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