



W.P.(MD)No.4105 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :11.03.2025

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.4105 of 2025
and WMP(MD)No.2948 of 2025

M.Ramakrishnan

... Petitioner

Vs.

Superintendent of Police,
Ramanathapuram District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in C.No.F2/11591/2024 dated 25.01.2025 on the file of the respondent to revoke the suspension of the petitioner within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Raja Simman
For Respondent : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

This writ petition has been filed for a Writ of Certiorarified Mandamus to quash the impugned order dated 25.01.2025 on the file of the



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respondent and to revoke the suspension of the petitioner within the time period stipulated by this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the records.

3. The petitioner, while working as S.S.I(Special Sub Inspector) in Thondi Police Station, Ramanathapuram District, a criminal case was registered against him by the Vigilance and Anti-corruption Department on 16.05.2024. Pursuant to the registration of criminal case, he was placed under suspension vide order passed by the respondents on 17.05.2024. The petitioner submitted a representation dated 19.12.2024 requesting the respondent to revoke the order of suspension. The respondent rejected the representation of the petitioner through proceedings dated 25.01.2025. the said order is under challenge in the present writ petition.

4. A counter affidavit has been filed on behalf of the respondents.

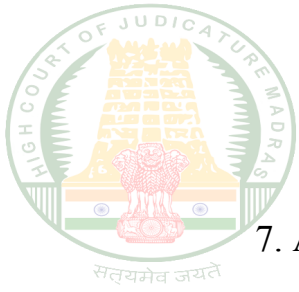
5. It is stated in the said counter affidavit that though an endorsement has



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been issued to the petitioner by mentioning the above circular, a letter dated 08.03.2025 of the Superintendent of Police, Ramanathapuram has been addressed to the Director of Vigilance and Anti-corruption, Chennai requesting their opinion regarding taking back the petitioner for duty and place him in a non-sensitive place as mentioned in G.O.Ms.No.81, dated 04.08.2022. The respondent will take further steps after receipt of the information from the Director of Vigilance and Anti-Corruption, Chennai.

6. Having heard the submissions of the respective counsels and on perusal of the order impugned in this writ petition, it seems that the impugned order is passed by the respondent without following the instructions issued in G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022. No where in the impugned order it is mentioned whether the instructions issued in the said Government Order have been followed. As and when the State Government issued specific instructions to be followed to consider the revocation of the suspension orders of the employees, issuance of the impugned order without following the same by the respondent is unjustified.



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7. Accordingly, this writ petition is allowed with the following directions:

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i) The order impugned in this writ petition in C.No.F2/11591/2024 dated 25.01.2025 on the file of the respondent is hereby set aside.

ii) The matter is remanded back to the respondent

iii) The respondent shall re-consider the representation of the petitioner dated 19.12.2024 by taking into consideration the instructions issued in G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022 and pass orders afresh within a period of four weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

11.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM

To:

Superintendent of Police,
Ramanathapuram District.

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BATTU DEVANAND, J.

CM

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