



W.P.(MD)No.4203 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.02.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.4203 of 2025
and
W.M.P(MD)No.3024 of 2025

V.Rajadurai

... Petitioner

Vs.

1.The Director,
Rural Development and Panchayat Raj,
Chennai – 600 015.

2.The District Collector (Development),
Thanjavur District,
Thanjavur.

3.The Block Development Officer (VP),
Thiruvaiyaru,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to review the order of suspension passed by the second respondent vide his proceedings in R.C.No. 4927/2022/K.4 dated 27.05.2022 in terms of Rule 17(e)(6) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955 and by considering the



W.P.(MD)No.4203 of 2025

petitioner's representation, dated 03.0.2025, within the period that may be stipulated by this Court.

For Petitioner : M/s.R.Affrin Fathima
For M/s.Ajmal Associates

For Respondents : Mr.D.Sachi Kumar
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2. The petitioner is working as Block Development Officer at the office of the Thiruvaiyaru Block Development Officer, Thanjavur District. While so, criminal case was registered in Crime No.2 of 2022 on the file of the Vigilance and Anti Corruption, Thanjavur District for the offence under Section 7 of Prevention of Corruption Act. Subsequently, the petitioner was suspended on 25.02.2022 by the second respondent. The grievance of the petitioner is that even after the period of nearly three years, the order of suspension was not reviewed. The petitioner was issued with charge memo on 16.06.2023 for which he submitted explanation. The enquiry officer was appointed but the enquiry

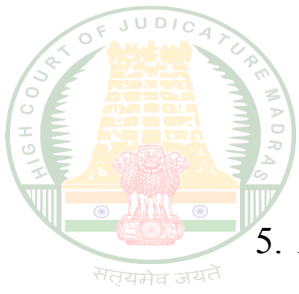


W.P.(MD)No.4203 of 2025

was not proceeded with. The petitioner is under suspension for more than 2 years 10 months. Requesting the respondents to review the suspension order, the petitioner submitted a representation, dated 03.02.2025. But no action has been taken to consider the representation. Aggrieved by the same, the present writ petition has been filed.

3. On perusal of the facts of the case, it appears that the petitioner was suspended by the second respondent by order, dated 25.02.2022 and he is under suspension for more than 2 years 10 months. Though the petitioner submitted an explanation to the charge memo, dated 16.06.2023 and enquiry officer was appointed, till now enquiry is not concluded. Under these circumstances, it appears that the petitioner submitted a representation on 03.02.2025 to review his suspension order.

4. Considering the above facts, in our considered view, it is appropriate and reasonable to dispose of this writ petition at the admission stage with the consent of both parties without going into the merits of the case with a direction to the second respondent to consider the representation, dated 03.02.2025 of the petitioner in accordance with law to meet the ends of justice.



W.P.(MD)No.4203 of 2025

5. Accordingly, this writ petition is disposed of with a direction to the second respondent to consider and take appropriate decision on the representation of the petitioner, dated 03.02.2025 in accordance with law within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

18.02.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

To:

- 1.The Director,
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W.P.(MD)No.4203 of 2025

BATTU DEVANAND, J.

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W.P.(MD)No.4203 of 2025

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