



W.P.(MD)No.21115 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2025

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.21115 of 2023

and

W.M.P(MD).Nos.17518, 17520 of 2023 & 2174 of 2024

G.Antony Raj

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Revenue and Disaster Management Department
Secretariat,
Chennai – 9.
2. The Additional Chief Secretary / Commissioner of
Revenue Administration,
O/o. The Additional Chief Secretary / Commissioner
of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai
3. The District Collector,
Thoothukudi District,
Thoothukudi.
4. The Personal Assistant (General) to Collector,
O/o. Personal Assistant (General) to Collector,
Thoothukudi District,
Thoothukudi.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 4th respondent in his proceedings in ROC.A7/E-531176/350/2023 dated 28.02.2023 and the consequential impugned order passed by the 4th respondent in his proceedings in ROC.A7/E-531176/350/2023 dated 28.02.2023 not allowing the petitioner to retire from service and quash the same as illegal and consequentially to direct the respondents to allow the petitioner to retire from service with effect from 28.02.2023 and consequentially disbursed all the retirement benefits.

For Petitioner : Mr.H.Mohammed Imran
for Ajmal Associates

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

The instant writ petition has been filed by an Office Assistant, employed in District Collectorate Office, Thoothukudi, challenging the order of suspension and order of retention in service, both dated 28.02.2023.



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2. A perusal of those orders reveals that the petitioner is facing disciplinary action and therefore, he is placed under suspension. The order of suspension as well as the order of retention in service reveals that the petitioner is placed under suspension pending disciplinary action. These two orders are challenged in the present writ petition.

3. According to the learned counsel appearing for the petitioner, the petitioner was about to attain superannuation on 28.02.2023 and till such date no charge memo was issued to him and therefore, the order of suspension and order of retention have to be set aside.

4. Per contra, learned Additional Government Pleader appearing for the respondents on instructions submits that the petitioner has been implicated in a criminal case in Crime.No.05 of 2020 dated 13.12.2020. Therefore, he submits that the petitioner has to be placed under suspension till completion of the criminal proceedings. He further pointed out that a charge memo has been issued to the writ petitioner on 10.10.2023.



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5. By way of rejoinder, the learned counsel appearing for the petitioner submits that a direction may be issued for speedy completion of the departmental proceedings pursuant to the charge memo dated 10.10.2023.

6. In view of the above said facts, this Court is inclined to pass the following order:-

- a) The prayer of the writ petitioner seeking to set aside the suspension order as well as order of retention in service are rejected;*
- b) The respondents are directed to complete the departmental proceedings on or before 31.05.2025 and pass final orders.*

7. With the said observations and directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

29.01.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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To

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The Government of Tamil Nadu,
Revenue and Disaster Management Department
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Chennai – 9.
2. The Additional Chief Secretary / Commissioner of
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O/o. The Additional Chief Secretary / Commissioner
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3. The District Collector,
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Thoothukudi.
4. The Personals Assistant (General) to Collector,
O/o. Personal Assistant (General) to Collector,
Thoothukudi District,
Thoothukudi.



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R.VIJAYAKUMAR, J.

rgm

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