

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.16901 of 2015
and
M.P.Nos.1 and 2 of 2015

S.Munusamy

... Petitioner

Vs.

1. The District Collector,
Villupuram District,
Villupuram
2. The Assistant Director Panchayat,
Villupuram District,
Villupuram,
3. The Block Development Officer,
Vallam Panchayat Union,
Vallam,
Villupuram District,
4. President,
Karunkuzhi Panchayat,
Gingee Tk,
Villupuram District,
5. Ellappan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the 4th respondent to allow the petitioner to work as pump operator in Karunguzhi Panchayat, Gingee Tk, Villupuram District and consequently grant all arrears of salary, increment and other benefits to the petitioner.

For Petitioner : Mr.S.Mazhaimenipandiyan

For Respondents : Mr.K.V.Dhanapalan, AGP for RR.1 and 2
Mr.M.Perumal for RR.3 and 4

ORDER

Heard both sides. Mr.K.V.Dhanapalan, learned Additional Government Pleader takes notice for the respondents 1 and 2. Mr.M.Perumal, learned counsel takes notice for respondent Nos.3 and 4. By consent of both the parties, the writ petition is taken up for final disposal.

2. The petitioner is working as a Over Head Tank Operator in Karunkuzhi Panchayat from 1997 onwards. However, the present President of Karunkuzhi Panchayat - one Mr.Saravanan refused to permit him to do work from August 2014 besides assaulting him. In this regard, the petitioner submitted petitions to the 2nd respondent - Assistant Director, Panchayat on 6.3.2014 and 30.6.2014. The 2nd respondent - Assistant Director Panchayat, Villupuram District issued proceedings dated 4.7.2014 directing the 3rd respondent - Block Development Officer, Vallam Panchayat Union to enquire and submit a report on the incident. Thereafter, the petitioner submitted a representation to the 2nd respondent on 27.10.2014. Only thereafter, the 4th respondent had given the pumpset key and paid 3 months salary to the petitioner for the months of October, November and December, but he was not paid the arrears, D.A., Pongal Bonus and salary for the months of August and September 2014. The petitioner has filed this writ petition seeking direction to the 4th respondent to allow the petitioner to work as pump operator in Karunguzhi Panchayat, Gingee Tk, Villupuram District and consequently grant all arrears of salary, increment and other benefits to the petitioner.

3. In the facts and circumstances of the case, the writ petition is disposed of directing the 2nd respondent to get enquiry report from the 3rd respondent within a period of three weeks from the date of receipt of copy of this order and thereafter the 2nd respondent shall pass orders in accordance with law based on the enquiry report relating to restoration of employment of petitioner as over head tank operator and as to the entitlement of the petitioner in respect of arrears of pay,etc., within a period of three weeks thereafter.

4. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

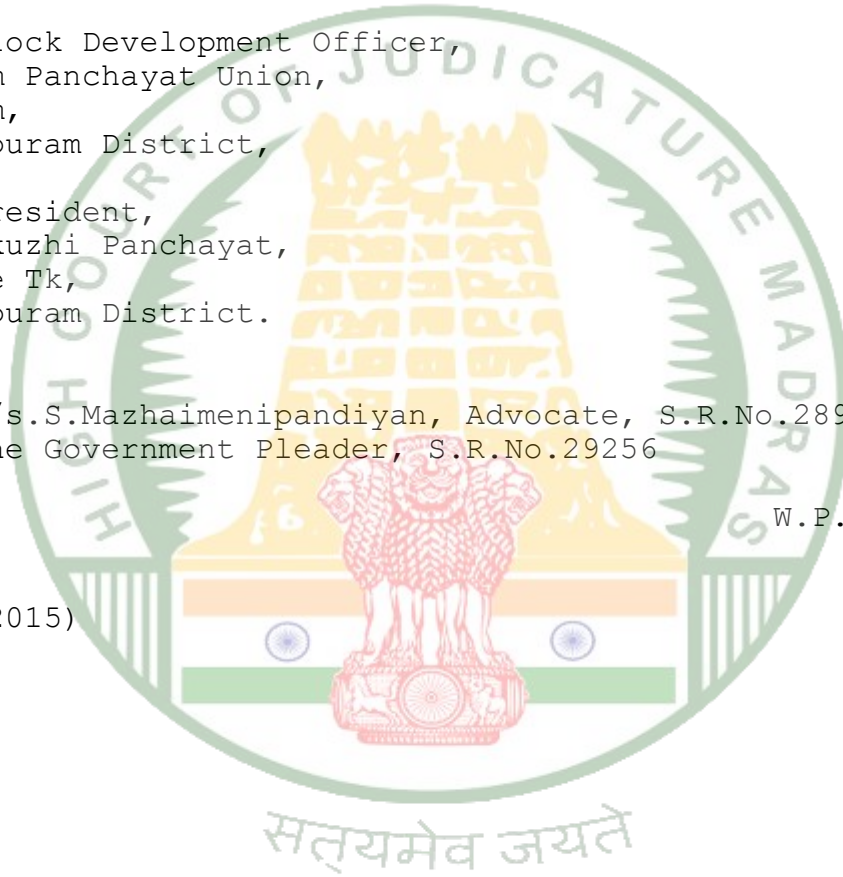
1. The District Collector,
Villupuram District,
Villupuram
2. The Assistant Director Panchayat,
Villupuram District,
Villupuram,
3. The Block Development Officer,
Vallam Panchayat Union,
Vallam,
Villupuram District,
4. The President,
Karunkuzhi Panchayat,
Gingee Tk,
Villupuram District.

+1cc to M/s.S.Mazhaimenipandiyan, Advocate, S.R.No.28963

+1cc to the Government Pleader, S.R.No.29256

W.P.No.16901 of 2015

MP (CO)
CA (24/06/2015)



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