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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2015

C O R A M

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition (MD) No.15568 of 2015
And M.P.(MD) NO.1 of 2015

M.Ganesan ... Petitioner

Vs.

The District Collector,
Tuticorin District,
Collectorate Buildings,
Tuticorin. .. Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the records of the respondent in his proceedings Na.Ka. En.Val3/6866/2015 dated 09.04.2015 and consequently direct the respondent to consider for reappointing the Petitioner as per Rule 41 of the Tamil Nadu State and Subordinate Service Rules within a time frame as may be fixed by this Hon'ble court.

For Petitioner : Mr.V.Perumal

For Respondent : Mr.J.Gunaseelanmuthiah,
Government Advocate.

ORDER

Challenging the impugned order dated 09.04.2015 wherein it has been explicitly mentioned that the petitioner had resigned from job four years ago and therefore, he is not entitled to seek reemployment, the present writ petition has been filed.

2.Learned counsel for the petitioner would submit that due to his illness, the petitioner kept away from the job. However, there is no record to prove the said averment. It is pertinent to point out that the petitioner himself has admitted that due to his sudden illness, he remained absent from 13.10.2010 and in paragraph 4 of the affidavit filed in support of this writ petition, it has been clearly stated by the petitioner that he has sent resignation letter to the respondent on 28.02.2011.

3. In view of the above, this Court is not inclined to interfere with the impugned order passed by the respondent refusing to grant re-employment to the petitioner. There is no merit in the writ petition.



Accordingly, the writ petition fails and the same is dismissed. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-
Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar

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sms
To
The District Collector,
Tuticorin District,
Collectorate Buildings,
Tuticorin.

+1CC to Mr.V.Perumal Advocate Sr.No.49809

GJM/DP-JGB-21.9.15-2P-3C

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