

HONOURABLE SRI JUSTICE RAJA ELANGO

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WRIT PETITION NO:5998 OF 2015

ORDER:

1. This writ petition is filed challenging the order dated 20.1.2015 passed by the 5th respondent terminating the services of the petitioners from the post of Village Co-ordinators of Siripuram Gram Panchayat, Santhakaniti Mandal.

2. The petitioners were appointed as Village Co-ordinators of Siripuram Grampanchayat on 1.9.2010 and since then, they have been discharging their duties as such. While so, the 5th respondent issued the order under challenge terminating the services of the petitioners without issuing any notice to them.

3. Heard and perused the material available on record.

4. The main contention of the learned Counsel for the petitioners is that the 5th respondent passed the order under challenge, without issuing any notice and without giving any opportunity to the petitioners to give their explanation.

5. In the counter filed by the 5th respondent, it is stated that on the complaint given by the villagers stating that the petitioners were not working properly, the then Mandal Co-ordinator enquired into the matter and found that the petitioners were not working properly, and then, notices dated 15.10.2014 were issued to the petitioners. But the petitioners refused to receive the same. Admittedly, in the order under challenge, there is no reference regarding the notices sent to the petitioners herein.

6. Considering the above facts and circumstances of the case, without expressing any opinion on the merits of the case, this Court is of the view that the writ petition can be disposed of with the following direction:

“The 5th respondent is directed to issue notices to the petitioners on or before 30th May, 2015. On such notices being issued, the petitioners are directed to receive the same and give their explanation, within a period of 15 days thereafter. The 5th respondent is also directed to consider the explanation that would be given by the petitioners and pass appropriate orders, in accordance with law. Till such time, the respondents are directed not to appoint any person in the posts of the petitioners.

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

Justice Raja Elango

Date:21.4.2015

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