

HONOURABLE SRI JUSTICE RAJA ELANGO

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WRIT PETITION NO:16754 OF 2010

ORDER:

1. This writ petition is filed challenging the notice dated 21.10.2009 issued by the 1st respondent directing the petitioner to credit an amount of Rs.1,02,100/-.

2. The petitioner herein is working as Field Assistant under the control of Respondents 1 and 2. While so, the 1st respondent issued the impugned notice calling upon the petitioner to explain the irregularities specified therein, in discharging his duty, and directing him to credit an amount of Rs.1,02,100/- to the MPDO account/Programme Officer. The petitioner submitted his explanation to the 1st respondent on 28.10.2009 informing the entire position and explaining that the social audit has not been conducted in proper way, and requesting him to conduct fresh audit. But the 1st respondent is not allowing the petitioner to discharge his duties. Hence, the petitioner filed the present writ petition.

3. It is pertinent to note that while admitting this writ petition on 19.7.2010, this Court granted interim stay as prayed for.

4. Heard and perused the material on record.

5. It is the main grievance of the petitioner that no detailed enquiry was conducted by giving reasonable opportunity to the petitioner. The material on record also indicates that no preliminary enquiry was conducted before issuing the notice impugned.

6. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this Court feels it just and appropriate to direct the

respondents to conduct an enquiry and pass appropriate orders.

7. Accordingly, the Writ Petition is disposed of directing the respondents to conduct an enquiry, after issuing notice to the petitioner and after giving sufficient opportunity to him, and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. Till such time, the interim stay granted by this Court on 19.7.2010 shall continue. No order as to costs. The miscellaneous petitions pending, if any, shall stand closed.

Justice Raja Elango

Date:10.4.2015

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