

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.1157 of 2016
& W.M.P.No.894 of 2016

P.Jayaprakash .. Petitioner

Vs.

1.The District Collector,
Villupuram District, Villupuram.

2.The Executive Officer,
Tirukovilur Town Panchayat,
Tirukovilur, Villupuram District. .. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings of the first respondent in Roc.No.1764/2015/TP2 dated 22.07.2015 and to quash the same as illegal, incompetent and ultravires and consequently direct the respondents to reinstate the petitioner in the post of Junior Assistant in the second respondent Town Panchayat.

For Petitioner : Mr.R.Jayaprakash
For Respondent No.1 : Mr.V.Jayaprakash Narayanan
Special Government Pleader
For Respondent No.2 : Mr.V.Subbiah

सतयमेव जयते
O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The case of the petitioner is that while he was working as a Junior Assistant in the second respondent Panchayat, he was placed under suspension on 22.07.2015. Thereafter, he sent a representation to the first respondent on 31.07.2015 for revocation of the suspension order. Since no order has been passed by the first respondent, the present Writ Petition has been filed by the petitioner.

3.Heard the submissions of Mr.R.Jayaprakash, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the first respondent and Mr.V.Subbiah, learned Standing Counsel takes notice on behalf of the second respondent.

4.Though the petitioner has challenged the order of suspension passed by the first respondent, the learned counsel appearing for the petitioner would submit that it would suffice that if a direction is issued to the respondents to consider the representation of the petitioner dated 31.07.2015.

5.This Court, taking into consideration the submissions of the learned counsel for the petitioner and without going into the merits of the same, directs the first respondent to consider the representation of the petitioner dated 31.07.2015 and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6.The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

sri

To

1.The District Collector,
Villupuram District, Villupuram.

2.The Executive Officer,
Tirukovilur Town Panchayat,
Tirukovilur, Villupuram District.

+ 1 cc to Mr.R. Jayaprakash, Advocate sR.2795

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SV(CO)
Eu 5.02.16