

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.10.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P. No.31435 of 2013 and MP Nos.1 to 3 of 2013

and W.P. No.30316 of 2013 and MP Nos.1 and 2/2013 & 1 of 2015

M.J.Ruben Abraham ... Petitioner in both the petitions

Vs

- 1 The District Collector,
Office of the Collectorate
Kancheepuram,
Kancheepuram District.
- 2 The Assistant Director (Panchayats)
Office of the Collectorate,
Kancheepuram,
Kancheepuram District.
- 3 The Personal Assistant
(Development) to the Collector,
Office of the Collectorate,
Kancheepuram, Kancheepuram District. ... Respondents in both
the petitions

Prayer in WP No.31435/13: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus calling for the records pertaining to the proceedings of the 1st respondent in e/f/vz;/26913/2012/gM2 dated Nil.01.2013 together with the order of suspension in e/f/vz;.3020/ 2012/m3/ c, (C) dated Nil.11.2012 since the same is contrary to the Old Rule issued in G.O.Ms. NO.175 dated 5.12.2006 on the file of the Rural Development and Panchayat Department or in terms of the present "New Rules" namely the Tamilnadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013 (with effect from 24.7.2013) so as to quash the same by reinstating the petitioner to the services as the Secretary of the Medavakkam Panchayat, Kancheepuram District.

Prayer in WP No.30316/13: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of

Certiorari calling for the records pertaining to the proceedings of the 1st respondent made in Na.Ka./26913/2012/gM2 dated 21.01.2013, together with the report of the 2nd respondent made in Na.Ka.No;.3020/ 2012/m7/ dated 21.06.2013, so as to quash the same in as much as the respondents are not the Competent Authority either to hold the enquiry or to pass the said proceedings within the meaning of the "Tamil Nadu Village Panchayat Secretaries (conditions of Service) Rules, 2013".

For Petitioner :Mr.MC.Govindan
(in both the petitions)

For Respondents :Mr.R.Govindasamy,SGP
(in both the petitions)

COMMON ORDER

In WP No.31435 of 2013, the petitioner challenges the Charge Memo issued by the 1st respondent and in WP No.30316 of 2013 the petitioner is challenging the Show cause Notice issued by the 1st respondent.

2.Heard Mr.M.C.Govindan, learned counsel appearing for the petitioner and Mr.R.Govindasamy, learned Special Government Pleader appearing on behalf of the respondents.

3. When the Writ Petitions were taken up for hearing, the learned counsel appearing for the petitioner would submit that he is willing to participate in the disciplinary proceedings if necessary orders are passed.

4. Accordingly, both the Writ Petitions are disposed of with a direction to the petitioner to submit his explanation for the Show Cause Notice as expeditiously as possible and on receipt of such explanation the 3rd respondent shall conduct an enquiry, after giving due opportunity to petitioner. The said enquiry shall be completed within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jv

To

- 1 The District Collector,
Office of the Collectorate
Kancheepuram,
Kancheepuram District.
- 2 The Assistant Director (Panchayats)
Office of the Collectorate,
Kancheepuram,
Kancheepuram District.
- 3 The Personal Assistant
(Development) to the Collector,
Office of the Collectorate,
Kancheepuram, Kancheepuram District.

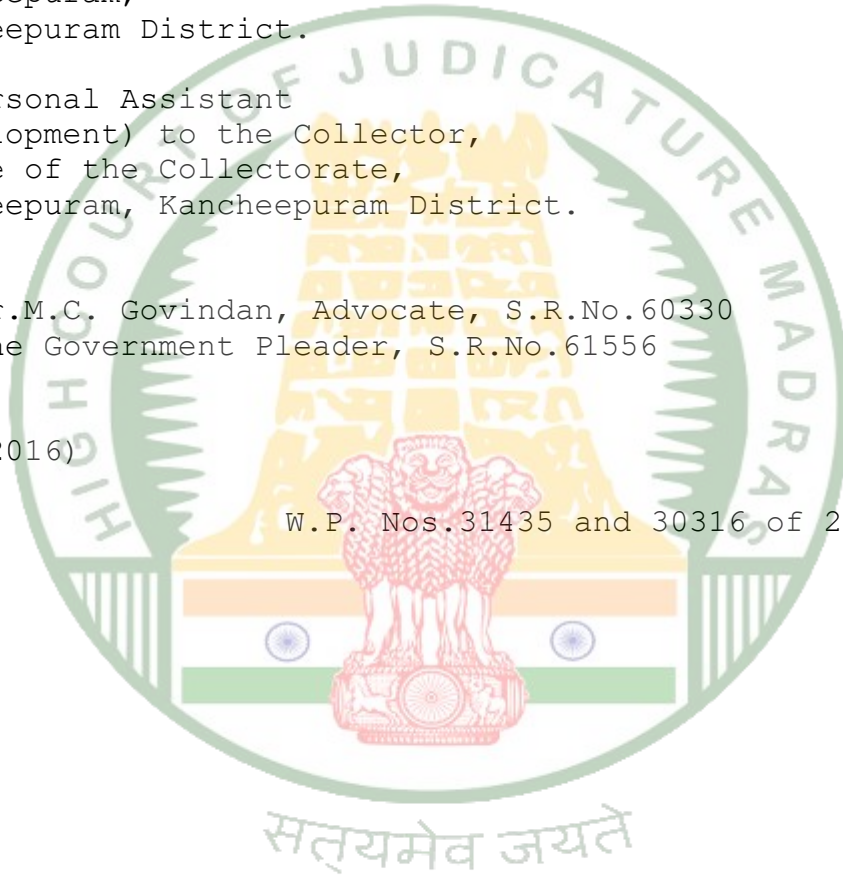
+2cc to Mr.M.C. Govindan, Advocate, S.R.No.60330

+1cc to the Government Pleader, S.R.No.61556

PVS (CO)

md (9/11/2016)

W.P. Nos.31435 and 30316 of 2013



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