

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.08.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P. No.25682 of 2007

Gopu, S/o.V.Devaraja Mudaliar,
Village Administrative Officer,
Manavandhangal Village,
Sendhamangalam Post,
Arakkonam Taluk,
Vellore District

... Petitioner

-vs-

1. The District Collector,
Nilgiris, Nilgiris District

2. The Joint Commissioner and
Revenue Administrator,
Distress Management,
Ezhilagam, Chepauk, Chennai

3. The Special Commissioner
and Commissioner for Revenue,
Ezhilagam, Chepauk, Chennai - 5

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records in Na.Ka.No.3(3)/106557/05 dated 14.03.2007 from the file of the 2nd respondent and quash the same and direct the 1st respondent to reinstate the petitioner as V.A.O. Within the limit of Nilgiris District under the control of the 1st respondent with all back wages.

For Petitioner : Mr.R.Margabandhu

For Respondents: Mr.S.Gunasekaran

Additional Government Pleader

O R D E R

Heard Mr.R.Margabandhu, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Additional Government Pleader appearing for the respondents.

2. In this Writ Petition, the petitioner has challenged the impugned order passed by the 2nd respondent in Na.Ka.No.3(3)/106557/05 dated 14.03.2007, wherein the request of the petitioner to reinstate him in the post of Village Administrative Officer has been rejected.

3. The learned counsel for the petitioner submitted that there were ten petitions, out of which, all the nine petitions have been ordered in respect of the earlier order passed by this Court in W.P.Nos.15979 of 2007 etc., dated 01.07.2011 and only this Writ Petition, which was also filed along with the ten petitions, was left alone. He would also submit that this Writ Petition is squarely covered by the decision of this Court in the case of Illagovan and others Vs.The District Collector, Nilgiris District, Ooty and others in W.P.Nos.15979 of 2007 etc., dated 01.07.2011 and the said Writ Petition was allowed and the similar impugned order was set aside. The said Writ Petition was allowed following the dictum laid down by the Hon'ble Supreme Court in the case of P.V.Mahadevan Vs. M.D., Tamilnadu Housing Board reported in 2005 (4) CTC 403.

4. Thus, following the above decisions, this Writ Petition is allowed and the Impugned order is set aside.No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1. The District Collector,
Nilgiris, Nilgiris District
2. The Joint Commissioner and
Revenue Administrator,
Distress Management,
Ezhilagam, Chepauk, Chennai
3. The Special Commissioner
and Commissioner for Revenue,
Ezhilgam, Chepauk, Chennai - 5

+1 cc to Mr.R.margabandhu,advocate,sr.49753.

pvs(co)
krd 14/9

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