

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.3628 of 2016
and
WMP.No.2991 of 2016

S.Velmuragan

... Petitioner

Vs.

The Personal Assistant (Development),
to the District Collector,
Tiruvannamalai District,
Tiruvannamalai-606 601.

... Respondent

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of Certiorari, calling for the records relating to the impugned order of suspension passed by the respondent in Na.Ka.No.10961/2014/Pa.E2 dated 20.11.2015.

For Petitioner : Mr.S.Kumaradevan

For Respondent : Mr.K.Rajendraprasad
Government Advocate

O R D E R

This writ petition has been filed by the petitioner challenging the correctness of the suspension order in Na.Ka.No.10961/2014/Pa.E2 dated 20.11.2015 on the ground that the impugned suspension order has been passed against Rule 17 of the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules, 2013, in which, an enquiry into grave charge is pending against a delinquent is contemplated or pending is necessary for suspending the Village Panchayat Secretary.

2.Heard the learned counsel for the petitioner and learned Government Advocate for the respondent.

3.The learned counsel for the petitioner submitted that in the present case, the suspension order does not show any enquiry is pending against the petitioner as contemplated under Rule 17 of the Tamil Nadu Village

Panchayat Secretaries (Conditions of Service) Rules, 2013. Therefore, the suspension order is liable to be set aside.

4.The aforesaid mentioned contention made by the learned counsel for the petitioner has no legs to stand for the simple reason that he has been issued with charge memo and therefore, he has to give his explanation and face the trial before the disciplinary authorities. In view of the same, this Court is not able to find any merits in the challenge made by the petitioner before this Court. Hence, the writ petition fails and stands dismissed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

DP

To

The Personal Assistant (Development),
to the District Collector,
Tiruvannamalai District,
Tiruvannamalai-606 601.

1 cc to Mr.S. Kumaradevan, Advocate, Sr. 6755

1 cc to Government Pleader, Sr. 6903

सत्यमेव जयते

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MSM (CO)

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