



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANAWrit Petition (MD) Nos.8143 to 8151 of 2016In W.P(MD)No.8143 of 2016

M.Krishnasamy	... Petitioner in WP(MD)No. 8143/2016
R.MARIMUDHU	... Petitioner in WP(MD)No. 8144/2016
M. SELVAGANAPATHY	... Petitioner in WP(MD)No. 8145/2016
G.BABU	... Petitioner in WP(MD)No. 8146/2016
M.MARIAPPAN	... Petitioner in WP(MD)No. 8147/2016
N.JAYAKUMAR	... Petitioner in WP(MD)No. 8148/2016
G.S.MURUGAN	... Petitioner in WP(MD)No. 8149/2016
C.KARPAGAVINAYAGAM	... Petitioner in WP(MD)No. 8150/2016
M. CHELLADURAI	... Petitioner in WP(MD)No. 8151/2016

Vs.

THE EXECUTIVE OFFICER,
PUDUR (S) TOWN PANCHAYAT,
TIRUNELVELI DISTRICT.... Respondent in
WP (MD) Nos.8143,8148/2016THE EXECUTIVE OFFICER,
ELANCHI FIRST GRADE TOWN PANCHAYAT,
TIRUNELVELI DISTRICT

... Respondent in WP(MD)No.8144/2016

THE EXECUTIVE OFFICER,
NANGUNERI TOWN PANCHAYAT,
NANGUNERI,
TIRUNELVELI DISTRICT... Respondent in
WP (MD) Nos.8145,8146 & 8149/2016THE COMMISSIONER,
AMBASAMUTHIRAM MUNICIPALITY,
AMBASAMUTHIRAM,<https://hcservices.ecourts.gov.in/hcservices/>
TIRUNELVELI DISTRICT

... Respondent in WP(MD)No.8147/2016



THE EXECUTIVE OFFICER,
THSIYANVILA TOWN PANCHAYAT,
TIRUNELVELI DISTRICT

... Respondent in WP (MD) No.8150/2016

THE EXECUTIVE OFFICER,
CHERANMADEVI SELECTION GRADE TOWN PANCHAYAT,
CHERANMADEVI,
TIRUNELVELI DISTRICT.

... Respondent in WP (MD) No.8151/2016

Common Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to review the order of suspension dated 01.12.2015, 04.12.2015, 08.12.2015, 08.12.2015, 14.12.2015, 01.02.2016, 08.12.2015, 07.12.2015, 15.12.2015, respectively on completion of 3 months period in the light of government letter dated 23.07.2015.

For all the Petitioners : Mr.V.Vijay Shankar
For Respondent : Mr.G.Muthukannan,
Government Advocate.

COMMON ORDER

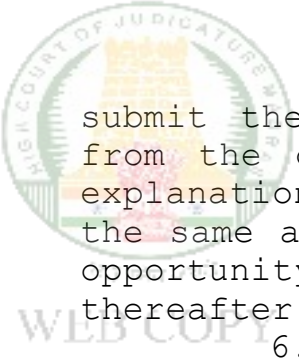
The petitioners in all the writ petitions are all class-IV employees of the municipality and town panchayat. It is alleged that the petitioners have produced forged physical disability certificate and got employment under disability category. Later, the respondents had found that the certificates produced by the petitioners were of forged one and they have gained employment clandestinely. Therefore, the said employees were issued with the order of suspension. On receipt of the said order of suspension, the petitioners rushed to this Court and while entertaining two or three writ petitions, this Court granted stay which was subsequently vacated.

2.The respondents filed counter affidavit along with the status report filed by the CBCID, Tirunelveli in Crime No.3 of 2015. The said enquiry proceedings is said to be pending. It is stated that there are more than 272 persons recruited in this manner from Tirunelveli, Kanyakumari, Virudhunagar and Tuticorin Districts.

3.Learned counsel appearing for the petitioners submitted in every case, charge memo has been issued.

4.At this stage, this Court cannot interfere in any of these matters as the petitioners have to submit their explanation on the charge memo before the authorities concerned. It is only for the authorities to decide whether the said proceedings should continue with the enquiry or not.

5.In such view of the matter, the petitioners shall



submit their explanation for the said charges within two weeks from the date of receipt of a copy of this order. On such explanation being filed, the respondent authorities shall consider the same and pass appropriate orders after affording a reasonable opportunity to all the petitioners within a period of two months thereafter.

6. The writ petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. THE EXECUTIVE OFFICER, PUDUR (S) TOWN PANCHAYAT,
TIRUNELVELI DISTRICT.
2. THE EXECUTIVE OFFICER, ELANCHI FIRST GRADE TOWN PANCHAYAT,
TIRUNELVELI DISTRICT.
3. THE EXECUTIVE OFFICER, NANGUNERI TOWN PANCHAYAT,
NANGUNERI, TIRUNELVELI DISTRICT.
4. THE COMMISSIONER, AMBASAMUTHIRAM MUNICIPALITY,
AMBASAMUTHIRAM, TIRUNELVELI DISTRICT.
5. THE EXECUTIVE OFFICER, THSIYANVILA TOWN PANCHAYAT,
TIRUNELVELI DISTRICT.
6. THE EXECUTIVE OFFICER,
CHERANMADEVI SELECTION GRADE TOWN PANCHAYAT, CHERANMADEVI,
TIRUNELVELI DISTRICT.

+NINE CC'S TO M/S.V.VIJAY SHANKAR, ADVOCATE IN SR.NO.24078

sms

CSL/GSV-PM/19.05.2016 : 3P/16C

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