



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

and

THE HONOURABLE MRS. JUSTICE J. NISHA BANU

W.A(MD)No.358 of 2013

and

M.P. (MD)No.1 of 2013

The President,
Thirukalambure Village Panchayat,
Ponamaravathi Panchayat Union,
Pudukkottai District. ... Appellant/3rd Respondent
Vs.

1.M.Dhanam
W/o Murugaiyha,
Over Head Tank Operator (Removed),
Thirukalambure Village Panchayat,
Ponamaravathi Panchayat Union,
Pudukkottai District. ... 1st Respondents/Petitioner

2.The District Collector,
Pudukkottai District.

3.The Block Development Officer,
Ponamaravathi Panchayat Union,
Pudukkottai District. .. 2nd & 3rd Respondents/1st & 2nd
Respondents

PRAYER: The Writ Appeal is filed under Clause 15 of Letter Patent Act praying to set aside the order dated 24.04.2012 in W.P.No.2399 of 2012.

Prayer in WP(MD). 2399/ 2012 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 3rd respondent in ref. Na.Ka.No. 3/2011-2012, dated 02.01.2012 and quash the same and consequently direct the 3rd respondent herein to permit the petitioner to do work as Over Head Tank Operator at Karuchathankulam.

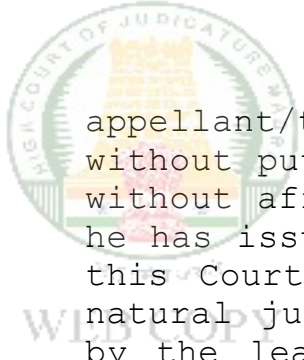
For Appellant

:Mr.AL.Kannan

For Respondents

: Mr.M.Rajarajan

for R.1



appellant/third respondent dated 02.01.2012 would indicate that without putting the first respondent/writ petitioner on notice and without affording her any opportunity whatsoever, all of a sudden, he has issued the termination order. In the considered opinion of this Court, the said order is per se violation of principles of natural justice and the said fact has been rightly taken note of by the learned Judge and vide the impugned order, has set aside the same and also granted liberty to the appellant/third respondent in the writ petition, to follow the due process of law before doing so. In the considered opinion of this Court, the reasons assigned the learned Single Judge cannot be found faulted with and there is no infirmity or error apparent on the impugned order and therefore, the Writ Appeal deserves to be dismissed. Accordingly, the Writ Appeal is dismissed confirming the order passed in W.P(MD)No.2399 of 2012, dated 24.04.2012. However considering the facts and circumstances of the case, there shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

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To

1.The District Collector,
Pudukottai District.

2.The Block Development Officer,
Ponamaravathi Panchayat Union,
Pudukkottai District.

GJM/KM/25.11.16-3p-3C

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and
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