

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2017

CORAM :

THE HONOURABLE MR. JUSTICE M. GOVINDARAJ

W.P. No. 16456 OF 2017

A. Kannabiran

..Petitioner

Vs.

- 1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai-9.
- 2.The Director of Municipal Administration,
Chepauk,
Chennai-5.
- 3.The Commissioner,
Rasipuram Municipality,
Rasipuram Taluk,
Namakkal District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the removal of service by the third respondent vide proceedings No.Roc.968/09/C1 dated 28.09.2015 and to quash the same and consequently direct the respondents to reinstate the petitioner in service with all attendant benefits such as pension, Gratuity, G.P.F. DCRG, and leave salary.

For Petitioner : Mr. S. Vijayakumar

For Respondent : Mr. T.M. Pappiah, Spl.G.P.

O R D E R

The petitioner has filed the present writ petition praying to call for the records relating to the removal of service by the third respondent, vide proceedings No.Roc.968/09/C1 dated 28.09.2015 and to quash the same and consequently direct the respondents to reinstate the petitioner

in service with all attendant benefits such as pension, Gratuity, G.P.F. DCRG, and leave salary.

2.The writ petitioner has challenged the order of removal from service by the third respondent in his proceedings Roc.No.968/09/C1 dated 28.09.2015. The removal order has been passed on account of his conviction by a criminal court.

3.The learned counsel appearing for the petitioner would submit that the conviction was set aside by the learned Principal Sessions Court, Namakkal in Criminal Appeal No.38 of 2015, dated 06.04.2017. The writ petitioner has made a representation on 05.06.2017, stating the said fact that he was acquitted by the said Appellate Court. The said representation was received by the third respondent on 07.06.2017 and is pending.

4. Mr.T.M. Pappiah, learned Special Government Pleader, takes notice for the respondents.

5. The learned counsel for the petitioner would submit that it would suffice that if a direction is issued to the respondents to dispose of the said representation of the petitioner dated 05.06.2017.

5. Considering the limited prayer, a direction is issued to the third respondent to consider the said representation of the petitioner dated 05.06.2017 on merits and pass orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

Accordingly, this Writ Petition is disposed of.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rpl/kmi

To

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai-9.

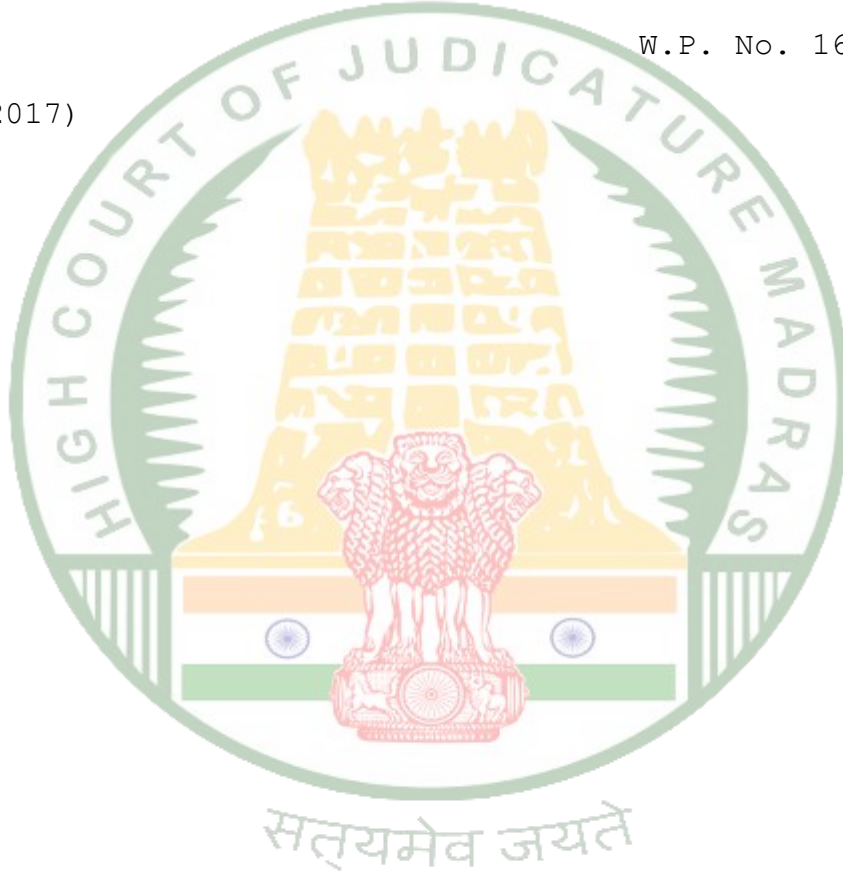
2.The Director of Municipal Administration,
Chepauk,
Chennai-5.

3.The Commissioner,
Rasipuram Municipality,
Rasipuram Taluk,
Namakkal Dstrict

+lcc to Government Pleader SR.No.45896
+lcc tp Mr.S.Vijayakumar, Advocate SR.No.45564

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SAI (CO)
GN(18/07/2017)



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