



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.12948 of 2017

and

W.M.P.(MD)No.10038 of 2017

A.Kaliselvan

... Petitioner

vs.

1.The District Collector,
Trichy District, Tiruchirappalli.

2.The Personal Assistant,
to the District Collector, (Development)
Trichy District, Tiruchirappalli.

3.The Block Development Officer,
(Village Panchayats),
Lalgudi Panchayat Union,
Lalgudi, Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorified Mandamus, to call for the records of the 2nd respondent in his proceedings in Che.Mu.No.Thal/9408/2016 dated 21.09.2016 and quash the same as illegal, arbitrary, violation of Principles of law and further direct the respondents to reinstate the petitioner as a Panchayat Secretary in the Sevanthinathapuram village Panchayat, Lalgudi Panchayat union, Trichy District, within the stipulated time.

For Petitioner : Mr.G.Marimuthu

For Respondent : Mr.Raja Karthikeyan,
Additional Government Pleader

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

2. After being appointed as a part-time Clerk in the Sevanthinathapuram Village Panchayat, Lalgudi Panchayat Union, Trichy District, in the year 1998. The petitioner has been given promotion to the post of Panchayat Secretary in the same Panchayat in the year 2012. While so, on the basis of complaint given by the petitioner as Block Development Officer, Lalgudi Panchayat Union, Trichy District, two cases have been registered against the petitioner in Crime Nos.574 and 849 of 2016 and pursuant to which,



the petitioner has been placed under suspension on 21.09.2016. After waiting for a long time, the petitioner has given a representation to the respondents seeking cancellation/revocation of suspension order, which has not been done.

3. It is his claim that under Rule 17(3) of the Tamil Nadu Village Panchayat Secretaries (Conditions of Service) Rules 2013, it is the duty of the suspending authority to review the order of suspension. But this Court stayed G.O.Ms.No.72, Rural Development and Panchayat Raj (E5), dated 09.07.2013. Therefore, the petitioner cannot resort to the said G.O. for any help. However, as the suspension order dated 21.09.2016, has not been reviewed by the first respondent. Therefore, the petitioner is before this Court with this writ petition.

4. Mr. Raja Karthikeyan, learned Additional Government Pleader, takes notice for the respondents and sought time to consider the petitioner's representation.

5. In view of the above, the first respondent is directed to consider the petitioner's representation dated 27.06.2017, on merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Trichy District, Tiruchirappalli.

2. The Personal Assistant,
to the District Collector,
(Development)

Trichy District, Tiruchirappalli.

3. The Block Development Officer,
(Village Panchayats), Lalgudi Panchayat Union,
Lalgudi, Trichy District.

+One cc to Mr. G. Marimuthu, Advocate, SR.No.65123

+One cc to The Special Government Pleader, SR.No.65582

Mrn/RR

RL/6C/2P/KK/SAR1/25/7/2017

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and

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