



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2017

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.3526 of 2017

and

W.M.P(MD)No.2856 of 2017

R.Muthuvelpandian

... Petitioner

Vs.

The Commissioner,
Sivakasi Municipality,
Sivakasi Town,
Sivakasi,
Virudhunagar District.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the impugned memo in Na.ka.No.10017/2016/C1, dated 30.1.2017 on the file of the respondent and to quash the same and consequently to direct the respondent to permit the Petitioner to join duty.

For Petitioner :M/s.V.Maharajan

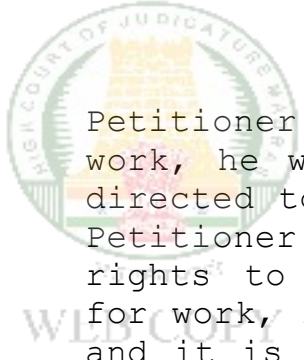
For Respondent :Mr.S.Sathish Kumar
Addl.Govt.Pleader

O R D E R

This Writ Petition has been filed, seeking for issuance of a writ of Certiorarified Mandamus calling for the impugned memo in Na.ka.No.10017/2016/C1, dated 30.1.2017 on the file of the respondent and to quash the same and consequently to direct the respondent to permit the Petitioner to join duty.

2.Mr.S.Sathish Kumar, learned Additional Government Pleader takes notice for the respondent. By consent of both parties, the Writ Petition itself is taken up for final disposal at the admission stage itself.

3.The Petitioner has challenged the impugned notice, dated 30.01.2017 directing the Petitioner to report for work, failing which, appropriate action will be taken. For any misconduct, the respondent from taking appropriate action in this case. By the impugned memo, the Petitioner has been asked to report for work. However, the learned counsel for the



Petitioner would submit that though the Petitioner reported for work, he was not permitted to report for work. The Petitioner is directed to report for work by order dated 30.1.2017 and hence the Petitioner is directed to resume work without prejudice to the rights to take disciplinary action. Till the Petitioner reports for work, from 22.1.2017, the Petitioner is not entitled to wages and it is subject to the outcome of the departmental proceedings, if any, initiated against the Petitioner.

4. With the above direction, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

The Commissioner,
Sivakasi Municipality,
Sivakasi Town,
Sivakasi,
Virudhunagar District.
+1cc to Mr.V.Maharajan, Advocate, SR.11529

W.P. (MD) No.3526 of 2017
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