



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDARW.P.(MD).Nos.4754 of 2017

M.Lingaselvi, Secretary (Removal from service),
Therku Veerapandiapuram Village Panchayat,
Ottapidaram Panchayat Union,
Thoothukudi District.

.. Petitioner

Vs.

1. The District Collector, Thoothukudi District,
Thoothukudi.
2. The Block Development Officer (Village Panchayats)
Therku Veerapandiapuram Village Panchayat,
Ottapidaram Panchayat Union,
Thoothukudi District.
3. Therku Veerapandiapuram Village Panchayat,
Rep.by its Special Officer,
Ottapidaram Panchayat Union,
Thoothukudi District.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider and pass orders on the petitioner's appeal petition, dated 11.02.2013 relating to her removal from service and consequential reminder dated 02.02.2017 so as to enable her to join in any vacancy in the post of Secretary available at Ottapidaram Union in Thoothukudi District, within the time limit that may be stipulated by this court.

For Petitioner : Mr.A.S.Vaikunth
For Respondents : Mr.C.Selvaraj,
Special Government Pleader.

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the 2nd respondent to consider and pass orders on the petitioner's appeal petition, dated 11.02.2013 relating to her removal from service and consequential reminder dated 02.02.2017 so as to enable her to join in any vacancy



in the post of Secretary available at Ottapidaram Union in Thoothukudi District, within the stipulated time.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. Mr.C.Selvaraj, learned Special Government Pleader, takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for directing the second respondent to consider and pass orders on the petitioner's appeal dated 11.02.2013 relating to her removal from service, it is seen that the representation of the petitioner, dated 02.02.2017 is not relating to the removal of the petitioner from service, but for seeking fresh appointment.

5. Considering the facts and circumstances pointed out by the learned counsel for the petitioner, without expressing any opinion on the merits of the case of the petitioner's claim, this Court is inclined to issue the following direction:-

"The second respondent is directed to consider and dispose of the petitioner's appeal, dated 11.02.2013 and representation of the petitioner, dated 02.02.2017, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

/True Copy/

Sub Assistant Registrar

To

1. The District Collector, Thoothukudi District, Thoothukudi.
2. The Block Development Officer (Village Panchayats)
Therku Veerapandiapuram Village Panchayat,
Ottapidaram Panchayat Union, Thoothukudi District.

+ 1 CC TO Mr.G.THALAIMUTHARASU, ADVOCATE IN SR No. 16467
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 16659

PMU

TE/SKN-RSK/SAR-III : 04/04/2017 : 2P/5C