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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2018

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.Nos.27483 & 27485 of 2018

K.Muthutamilvannan .. Petitioner in W.P.No.27483 of 2018
Durai Murugan .. Petitioner in W.P.No.27485 of 2018

-vs-

1. The District Collector
Cuddalore District
Cuddalore
2. The Project Director
District Rural Development Agency
Cuddalore
3. The Block Development Officer
(Village Panchayat)
Panchayat Union
Nallur, Cuddalore District
4. D.Babu .. Respondents in both the writ petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the records pertaining to the proceedings made in Na.Ka.Aa1/1537/16 dated 26.09.2018 on the file of the third respondent and quash the same.

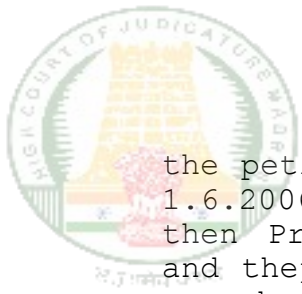
For Petitioners :: Mr.B.Kumarasamy

For Respondents :: Mr.A.N.Thambidurai
Special Government Pleader

ORDER

The petitioners have challenged the impugned orders of suspension issued by the Block Development Officer (Village Panchayat), Panchayat Union, Nallur, Cuddalore District, the third respondent herein in these writ petitions.

2. The learned counsel for the petitioners submitted that



the petitioners were appointed as part-time Clerks on 3.7.2000 & 1.6.2006 in Kothattai Panchayat and in Karaiyur Panchayat by the then President through Resolution Nos.108 & 23, respectively and they have been continuously discharging their duties without any bad remarks from the said date. Subsequently, their nomenclature was also changed as Panchayat Secretaries. However, by the proceedings of the third respondent dated 31.5.2017, the petitioners were given additional charge of Aadhamangalam & Maruthathur Panchayats from 1.6.2017. When they were discharging their duties as such, all of a sudden, to their shock and surprise, the third respondent relieved them from service from Kothattai and Karaiyur Panchayats on the allegation that they failed to hand over the additional charge to the subsequent incumbents, without giving any reasonable opportunity. Therefore, the petitioners filed W.P.Nos.26095 & 26089 of 2018 challenging the said relieving orders and this Court has ordered notice. During the pendency of the said writ petitions, the petitioners have been issued with the impugned orders of suspension by the third respondent, after receiving summons from this Court. Hence, they have challenged the impugned orders of suspension in the present writ petitions.

3. When the matters are taken up for hearing today, the learned Special Government Pleader for the respondents submitted that if the petitioners are prepared to hand over the charge to the new incumbents, the third respondent will revoke the orders of suspension and proceed against the petitioners in accordance with law.

4. The learned counsel for the petitioners, agreeing to the said course, also submitted that the petitioners are ready to hand over the charge to the new incumbents.

5. In view of the above, the petitioners are at liberty to hand over the charge to the new incumbents and on such compliance, it is open to the respondents to revoke the orders of suspension and proceed against the petitioners in accordance with law. With this observation, the writ petitions shall stand disposed of. Consequently, W.M.P.Nos.31991 & 31992 of 2018 are closed. No costs.

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar



1. The District Collector
Cuddalore District
Cuddalore

2. The Project Director
District Rural Development Agency
Cuddalore

3. The Block Development Officer
(Village Panchayat)
Panchayat Union
Nallur, Cuddalore District

+2cc to Mr.B.Kumarasamy, Advocate SR.No.71605

+1cc to Government Pleader SR.No.71614

W.P.Nos.27483 & 27485 of 2018

KJI (CO)

GMY (09/11/2018)



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