



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2018

CORAM :

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**W.P.(MD) No.154 of 2018

WEB COPY

H.Premkumar

... Petitioner

Vs.

1.The District Collector,  
Tirunelveli District,  
Tirunelveli.

2.The Commissioner,  
Puliyangudi Municipality,  
Puliyangudi,  
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to reinstate the petitioner into the service in the light of the order passed for similar persons in W.A.(MD)No.1467 and 1468 of 2015, dated 23.09.2016.

For Petitioner : Mr.P.Manikandan

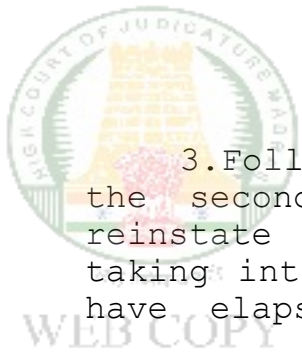
For Respondents : Mr.S.Srimathi  
Special Government Pleader for R1

Mr.M.Rajarajan for R2

O R D E R

The writ petitioner is working as a sweeper in the second respondent Municipality. On an allegation that he procured employment by producing fake disability certificate, he was suspended from service by an order dated 09.10.2015.

2.The learned counsel appearing for the petitioner states that there is no criminal case pending against him. Even though the charge memo was issued against the writ petitioner, the enquiry proceedings have not attained any finality. In the case of similarly placed persons, the Hon'ble Division Bench of this Court vide order dated 23.09.2016 in W.A.Nos.1467 and 1468 of 2015 was placed to grant relief.



3. Following the said decision, this Court is inclined to direct the second respondent to revoke the order of suspension and reinstate the writ petitioner in service. This order is passed taking into account the fact that more than 2 years and 4 months have elapsed.

4. This Writ Petition is allowed as indicated above. No costs.

Sd/-  
Assistant Registrar (W)

/True Copy/

Sub-Assistant Registrar

To

The District Collector,  
Tirunelveli District,  
Tirunelveli.

+One cc to Mr.P.Kanikandan, Advocate, SR.No.42867

+One cc to Mr.M.Rajarajan, Advocate, SR.No.42915

+One cc to The Special Government Pleader, SR.No.43148

ls/skm  
RL/5C/2P/KK/SAR1/7/2/2018

W.P. (MD) No.154 of 2018

19.01.2018