



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No. 1604 of 2018

and

W.M.P. (MD) . No. 1694 of 2018

V.Saravanan

... Petitioner

Vs.

1.The District Collector,
Pudukkottai.

2.The Personal Assistant to District Collector,
(Project and Development),
Office of the District Collector,
Pudukkottai.

3.The Special Officer,
Oorvani Village Panchayat,
Cum Block Development Officer (Panchayat),
Office of the Panchayat Union,
Aranthangi Post & Taluk,
Pudukkottai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent in Na.Ka.Thi.2/2307/2014, dated 22.01.2018 and quash the same as illegal and arbitrary and in consequence thereof permit the petitioner to continue to work as Secretary of Oorvani Village Panchayat, Aranthangi Taluk, Pudukkottai District.

For petitioner : Mr. P.Ganapathy Subramanian

For respondents : Mrs.S.Srimathy
Special Government Pleader

O R D E R

Heard the learned counsel on either side.

By consent of both parties, the main writ petition is taken up for final disposal at the stage of admission itself.



3. The petitioner is working as a Panchayat Secretary. He joined service in the year 2000. In the year 2018, he has been suspended from service on the ground that the petitioner did not pass the 10th standard and then therefore, he does not possess the minimum qualification.

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4. It is not the case of the respondent that the petitioner indulged in any misappropriation. It is always open to the respondent to take disciplinary action in accordance with law against the petitioner if so warranted. There is no need to keep the petitioner under suspension. As already pointed out, he has been in service for the last 18 years. The third respondent is directed to revoke the suspension and reinstate the petitioner in service forthwith.

5. This Writ petition is allowed as indicated above. No costs. Consequently, W.M.P. (MD). No. 1694 of 2018 is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukkottai.
2. The Personal Assistant to District Collector,
(Project and Development),
Office of the District Collector,
Pudukkottai.
3. The Special Officer,
Oorvani Village Panchayat,
Cum Block Development Officer (Panchayat),
Office of the Panchayat Union,
Aranthangi Post & Taluk,
Pudukkottai District.

+1cc to M/S.P.GANAPATHI SUBRAMANIAN, Advocate SR.No.19880.

+1cc to Special Government Pleader in SR.No.49867.

ORDER MADE IN
W.P. (MD) No. 1604 of 2018
19.02.2018