



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2562 of 2018

M.Shanmugavel

... Petitioner

Vs.

The Executive Officer,
Kallidaikurichi Selection Grade
Town Panchayat,
Tirunelveli District.

... Respondent

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

For Petitioner : Mr.R.Pon Karthikeyan

For Respondent : Mr.M.Rajarajan

ORDER

Mr.M.Rajarajan, the learned counsel takes notice for the respondent.

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

3.The petitioner is working as a Electrician. He was sponsored by Employment Exchange, Tirunelveli. The petitioner has been suspended from service on the ground that he has produced a fake disability certificate and obtained employment under the physically handicapped priority category. Therefore, he was placed under suspension for the last several months.

4.The Hon'ble Division Bench of this Court in WA(MD)Nos.1467 & 1468 of 2015, dated 23.09.2016 (S.Periyasamy, Jesu Antony vs. The Executive Officer, Ayakudi Town Panchayat, Tirunelveli District), directed the employer to revoke the suspension orders. It was however observed that the employer would be at liberty to proceed with the departmental proceedings and pass final orders in accordance with law.



5. Respectfully following the aforesaid said decision, this Court is inclined to direct the respondent herein to revoke the order of suspension and reinstate the petitioner in service forthwith. It is however made clear that the respondent is at liberty to proceed with the disciplinary proceedings initiated against the petitioner and pass final order in accordance with law.

6. The writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (C.O.)

/True Copy/

Sub Assistant Registrar

To
The Executive Officer,
Kallidaikurichi Selection Grade
Town Panchayat,
Tirunelveli District.

+1CC to Mr. R. Pon Karthikeyan, Advocate, SR.No. 47010

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