



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.02.2018

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CORAM:
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) Nos. 3063 to 3068 of 2018
and
W.M.P. (MD). Nos. 3213 to 3218 of 2018

P.RAMESH	... Petitioner in WP(MD). 3063/ 2018
N.MADASAMY	... Petitioner in WP(MD). 3064/ 2018
R.SENTHIL SISUBALAN	... Petitioner in WP(MD). 3065/ 2018
M.SADAIYANDI	... Petitioner in WP(MD). 3066/ 2018
R.MUTHUKUTTY	... Petitioner in WP(MD). 3067/ 2018
M.CHELLADURAI	... Petitioner in WP(MD). 3068/ 2018

- Vs. -

THE EXECUTIVE OFFICER,
GOPALASAMUDIRAM TOWN PANCHAYAT,
GOPALASAMUDIRAM, TIRUNELVELI DISTRICT.

... Respondent in WP(MD). 3063 and 3064 of 2018

THE EXECUTIVE OFFICER,
CERANMADEVI SELECTION GRADE TOWN PANCHAYAT,
CHERANMADEVI, TIRUNELVELI DISTRICT.

... Respondent in WP(MD). 3065 to 3068 of 2018

Common Prayer in WP(MD). 3063 and 3064 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus by calling for the records of the Respondent in Na.Ka.No.181/2015/A1 dated 11.12.2015 and quash the same and consequently direct the Respondent to reinstate the petitioner back into service in the light of the service conditions of Town Panchayat employees stipulated in Rule 5 of Tamil Nadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

Common Prayer in WP(MD). 3065 to 3068 of 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus or any other appropriate Writ or direction in the nature of Writ or order by calling for the records of the respondent in Na.Ka.No.120 of 2015 dated 15.12.2015 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions



of Town Panchayat employees stipulated in Rule 5 of Tamil Nadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988

For petitioner : Mr. N.Balamuralikrishnan
For respondent : Mr. J.Gunaseelan Muthiah
Additional Government Pleader
(in all Writ Petitions)

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COMMON ORDER

Heard the learned counsel on either side

2. By consent of both parties, the main writ petitions are taken up for final disposal at the stage of admission itself.

3. The petitioners in the respondent/Panchayat are working in various capacities such as Sanitary Worker, Electrician and Peon. They were sponsored by Employment Exchange. They have been suspended from service on the ground that they have falsely projected themselves as physically challenged candidates. Therefore, for the last several months, they are under suspension. The Division Bench of this Court in *W.A.(MD).No.1467 & 1468 of 2015 - (S.Periyasamy, Jesu Antony vs. The Executive Officer, Ayakudi Town Panchayat, Tirunelveli District)* dated 23.09.2016, 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.

4. Following the said decision, this Court is inclined to direct the respective respondents herein to revoke the orders of suspension impugned in these writ petitions and consequently reinstate the petitioners in service forthwith. It is, however, made clear that the respective respondents are at liberty to proceed with the disciplinary proceedings initiated against the petitioners and pass final orders in accordance with law.

5. These writ petitions stand allowed, as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To:

1. The Executive Officer,
Gopalamudiram Town Panchayat,
Gopalamudiram,
Tirunelveli District.



2.The Executive Officer,
Cherenmadevi Selection Grade Town Panchayat,
Cherenmadevi, Tirunelveli District.

+1cc to Mr.V.KARTHIKEYAN, Advocate,

SR.51224,51225,51226,51227,51228,51229

W.P. (MD) Nos. 3063 to 3068 of 2018
and

W.M.P. (MD) . Nos. 3213 to 3216 of 2018
26.02.2018

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