

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.02.2018****CORAM:****THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN****W.P. (MD) Nos. 3205 to 3209 of 2018****and****W.M.P. (MD). Nos. 3366 to 3375 of 2018**

G.Suresh .. Petitioner in W.P. (MD) Nos. 3205 of 2018
P.Perumal .. Petitioner in W.P. (MD) Nos. 3206 of 2018
M.Krishnasamy .. Petitioner in W.P. (MD) Nos. 3207 of 2018
N.Jayakumar .. Petitioner in W.P. (MD) Nos. 3208 of 2018
R.Samy .. Petitioner in W.P. (MD) Nos. 3209 of 2018

Vs.

The Executive Officer,
Vadakarai Keezhpidaigai Town Panchayat,
Vadakarai,
Tirunelveli District.

.. Respondent in W.P. (MD) Nos. 3205 of 2018

The Executive Officer,
Nanguneri Selection Grade Town Panchayat,
Nanguneri

.. Respondent in W.P. (MD) Nos. 3206 of 2018

The Executive Officer,
Pudur (S) Town Panchayat,
Pudur (S), Tirunelveli.

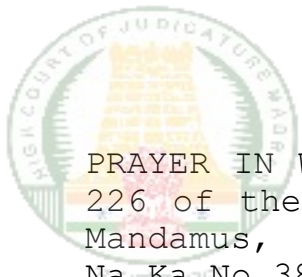
.. Respondent in W.P. (MD) Nos. 3207 of 2018

The Executive Officer,
Pudur (S) Town Panchayat,
Pudur (S), Tirunelveli District.

.. Respondent in W.P. (MD) Nos. 3208 of 2018

The Executive Officer,
Pudur (S) Town Panchayat,
Pudur (S), Tirunelveli District.

.. Respondent in W.P. (MD) Nos. 3209 of 2018



PRAYER IN W.P. (MD) Nos. 3205 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in Na.Ka.No.388/2015, dated 30.11.2015 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.

PRAYER IN W.P. (MD) Nos. 3206 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in Na.Ka.No.175-5/2015/A1, dated 08.12.2015 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.

PRAYER IN W.P. (MD) Nos. 3207 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in Na.Ka.No.41/2006/A1, dated 01.12.2015 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.

PRAYER IN W.P. (MD) Nos. 3208 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in Na.Ka.No.41/2006/A1, dated 01.02.2016 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.

PRAYER IN W.P. (MD) Nos. 3209 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in Na.Ka.No.41-1/2006/A1, dated 01.12.2015 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 respondents	: Mr. M.Raja Rajan
	Government Advocate
	(in all Writ Petitions)

**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 and Watchman. 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 (AD-II)

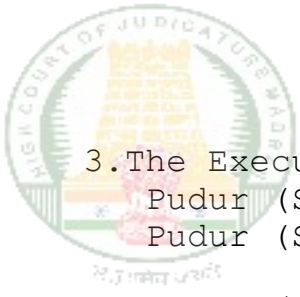
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Sub Assistant Registrar

To

1.The Executive Officer,
Vadakarai Keezhpidaigai Town Panchayat,
Vadakarai,
Tirunelveli District.

2.The Executive Officer,
Nanguneri Selection Grade Town Panchayat,
Nanguneri.



3.The Executive Officer,
Pudur (S) Town Panchayat,
Pudur (S), Tirunelveli.

+5cc to M/S.V.KARTHIKEYAN, Advocate SR.No.51230,
51231, 51232, 51233 and 51234.

ORDER MADE IN
W.P. (MD) Nos. 3205 to 3209 of 2018
26.02.2018

kmi
SDS/SKN:RSK/SAR 1/02.03.2018/4P/9C