



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No. 3905 of 2018

and

W.M.P (MD) Nos.4047 & 4048 of 2018

J.Muthukumar

.. Petitioner

Vs.

The Executive Officer
Sathankulam Selection Grade Town Panchayat
Sathankulam,
Tuticorin District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in Na.Ka.No.463 of 2015, dated 17.12.2015 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the order passed by this Court in W.A.(MD)Nos.1467 of 2015 and 1468 of 2015, dated 23.09.2016, the service conditions of town panchayat employees stipulated in Rule 5 of Tamil Nadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

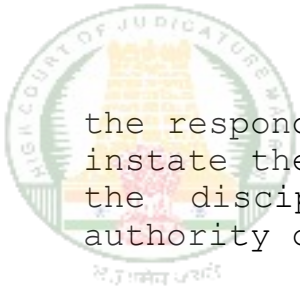
For petitioner : Mr.N.Balamuralikrishnan
For respondent : Mr.J.Gunaseelan Muthaiah
Additional Government Pleader

O R D E R

Heard Mr.N.Balamuralikrishnan, learned Counsel for the petitioner and Mr.J.Gunaseelan Muthaiah, learned Additional Government Pleader for the respondent.

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

3.The petitioner was appointed as Fitter in the respondent Panchayat on 16.11.2012. He was suspended on 17.12.2015 on the ground that the disciplinary proceedings are to be initiated against him for getting appointment by projecting himself as Physically Challenged person. More than two years and two months have since elapsed. In similar circumstances, the Division Bench by order dated 23.09.2016 in W.A(MD)No.1467 and 1468 of 2015, directed revocation of the order of suspension. Following the said order,



the respondent is directed to revoke the order of suspension and re-instate the petitioner in service forthwith. It is made clear that the disciplinary proceedings can go on and the disciplinary authority can pass final orders.

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4. This Writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To:

The Executive Officer
Sathankulam Selection Grade Town Panchayat
Sathankulam,
Tuticorin District.

+1CC to Mr.V.Karthikeyan, Advocate, SR.No. 51235

ORDER MADE IN

W.P. (MD) No. 3905 of 2018

and

W.M.P (MD) No. 4047 & 4048 of 2018

26.02.2018

SSS

AM/SKN RSK/SAR 2/01.03.2018/2P/3C