



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No. 3912 of 2018

and

W.M.P(MD)Nos.4064 & 4065 of 2018

M.Santhanakumar

... Petitioner

Vs.

The Executive Officer
Courtralam Special Grade Town Panchayat
Courtralam-627 802.
Tirunelveli District.

... Respondent

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.576/2015/A1, dated 25.11.2016 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.V.Karthikayan

For respondent : Mr.J.Gunaseelan Muthaiah
Additional Government Pleader

ORDER

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

<https://hcservices.ecourts.gov.in/hcservices/>

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 Sanitary Worker cum Watchman on 03.12.2012. He was suspended on 25.11.2016, on the ground that the disciplinary proceedings are to be initiated against him for getting appointment by projecting himself as a Physically Challenged person. More than one year and three months have elapsed since the petitioner was suspended from service. 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 therein.

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

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

The Executive Officer
Courtralam Special Grade Town Panchayat
Courtralam-627 802.
Tirunelveli District.

+ 1 cc TO Mr.V.Perumal , Advocate in SR No. 51237

ORDER MADE IN
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and
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