



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5834 of 2018

and

W.M.P.(MD)Nos.5698 and 5699 of 2018

Babu

... Petitioner

-Vs-

1.The Director of Town Panchayats,
Kuralagam, Chennai-600 108.

2.The Assistant Director of Town Panchayats,
N.G.O.Colony, Tirunelveli.

3.Nanguneri Town Panchayat,
Represented by its Executive Officer,
Nanguneri, Tirunelveli District.

..Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the 3rd respondent in Na.Ka.No.175-2/2015/A1 dated 08.12.2015 and quash the same.

For Petitioner	: Mr.M.Saravanan
For Respondents	: Mr.K.Saravanan
	Government Advocate.

ORDER

Mr.K.Saravanan, learned Government Advocate, takes notice for the respondents,

2.By consent of both parties, the main Writ Petition is taken up for final disposal at the stage of admission.

3.The petitioner is working as a Pump Cleaner. He was sponsored by Employment Exchange, Tirunelveli. The petitioner has been suspended from service on the ground that he has falsely projected himself as Physically Challenged candidate. Therefore, he was placed under suspension for the last several months.

4.The Hon'ble Division Bench of this Court in W.A.(MD).
<https://hcservices.ecourts.gov.in/hcservices/>
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 concurring with the aforesaid decision, this Court is inclined to direct the third respondent herein to revoke the order of suspension which is impugned in this Writ Petition and consequently reinstate the petitioner in service forthwith. It is however made clear that the third respondent is at liberty to proceed with the disciplinary proceedings initiated against the petitioner and pass final orders in accordance with law.

6. The Writ Petition stands allowed accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

1. The Director of Town Panchayats,
Kuralagam, Chennai-600 108.

2. The Assistant Director of Town Panchayats,
N.G.O.Colony, Tirunelveli.

3. The Executive Officer,
Nanguneri Town Panchayat,
Nanguneri, Tirunelveli District.

+1cc to Mr.R.Subramanian, Advocate, SR.No.56460

+1cc to The Special Government Pleader, SR.No.56950

tsg

RL/6C/2P/SV/MMS/SAR2/2/5/2018

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