



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) Nos.5921 to 5923 of 2018

and

W.M.P. (MD) Nos.5800 to 5805 of 2018

K.Muniyandi	... Petitioner in W.P. (MD) No.5921 of 2018
G.S.Murugan	... Petitioner in W.P. (MD) No.5922 of 2018
V.Ganesh	... Petitioner in W.P. (MD) No.5923 of 2018

-Vs-

- 1.The Director of Town Panchayats,
Kuralagam, Chennai-600 108.
- 2.The Assistant Director of Town Panchayats,
N.G.O.Colony,
Tirunelveli.
- 3.Sivagiri Town Panchayat,
Represented by its Executive Officer,
Sivagiri, Tirunelveli District.
...Respondents in W.P. (MD) No.5921 of 2018
- 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 in W.P. (MD) No.5922 of 2018
- 1.The Director of Town Panchayats,
Kuralagam, Chennai-600 108.
- 2.The Assistant Director of Town Panchayats,
N.G.O.Colony,
Tirunelveli.



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

...Respondents in W.P.(MD)No.5923 of 2018

PRAYER in W.P.(MD)No.5921 of 2018: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 third respondent in Na.Ka.No.356/2015/A1, dated 23.12.2015 quash the same.

PRAYER in W.P.(MD)No.5922 of 2018: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 third respondent in Na.Ka.No.175-4/2015/A1 dated 08.12.2015 quash the same.

PRAYER in W.P.(MD)No.5923 of 2018: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 third respondent in Na.Ka.No.186/2015, dated 07.12.2015, quash the same.

For Petitioner : Mr.M.Saravanan in all writ Petitions

For Respondents : Mr.K.Saravanan,
Government Advocate.
In all Writ Petitions

COMMON ORDER

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

2.By consent of both parties, the main Writ Petitions themselves are taken up for final disposal at the stage of admission.

3.The petitioners are working as Scavenger, Peon and Sanitary Worker. They were sponsored by Employment Exchange, Tirunelveli. The petitioners have been suspended from service on the ground that they had falsely projected themselves as Physically Challenged candidates. Therefore, they were placed under suspension for the last several months.

4.The Hon'ble Division Bench of this Court in W.A.(MD). 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 order. 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 following with the aforesaid decision, this Court is inclined to direct the third respondent herein to revoke the orders of suspension which is impugned in these Writ Petitions and consequently reinstate the petitioners in service forthwith. It is however made clear that the third respondent is at liberty to proceed with the disciplinary proceedings initiated against the petitioners and pass final orders in accordance with law.

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

Sd/-
Assistant Registrar (C.O)

/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. Sivagiri Town Panchayat,
Represented by its Executive Officer,
Sivagiri, Tirunelveli District.
4. Thisayanvilai Town Panchayat,
Represented by its Executive Officer,
Thisayanvilai, Tirunelveli District.
5. The Executive Officer,
Nanguneri Town Panchayat,
Nanguneri, Tirunelveli District

+3cc to Mr.R.Subramanian, Advocate, SR.Nos.56461, 56463 and 56462
+1 cc to The Special Government Pleader, SR.No.56706

tsg
RL/10C/3P/KK/SAR1/26/4/2018

W.P. (MD) Nos.5921 to 5923 of 2018