



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.6580 of 2018

and

W.M.P. (MD) .Nos.6372 & 6373 of 2018

A.Selvin Durai

...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. Alangulam Town Panchayat,
Represented by its Executive Officer,
Alangulam, Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the third respondent in Na.Ka.No/425/2015/A1 dated 04.12.2015, quash the same.

For Petitioner : Mr.R.Subramanian

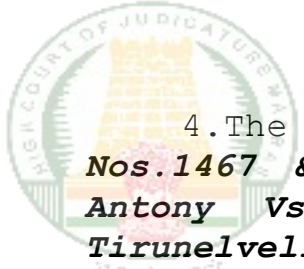
For Respondents : Mr.M.Jeyakumar
Additional Government Pleader

ORDER

Mr.M.Jeyakumar, learned Additional Government Pleader, takes notice on behalf of the respondents.

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

3.The petitioner is working as a Sanitary Worker. He was sponsored by the Employment Exchange, Tirunelveli. The petitioner has been suspended from service on the ground that he 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) . 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 the aforesaid decision, this Court directs 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 (AS)

/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,
Alangulam Town Panchayat,
Alangulam, Tirunelveli District.

+ 1 cc TO Mr.R.Subramanian , Advocate in SR No. 58530
+ 1 cc TO The Special Government Pleader in SR No. 59041

tsg

AE/KKR/SAR2/04.06.2018/2P/6C

**W.P. (MD) .No.6580 of 2018
27.03.2018**