



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHANW.P. (MD) No. 20683 of 2017 and
W.M.P. (MD) Nos. 16967 and 16968 of 2017

S. Murugan

.. Petitioner

Vs.1. The District Collector,
Tirunelveli District,
Tirunelveli.2. The Commissioner,
Sankarankovil Panchayat Union,
Sankarankovil,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the entire records, relating to the impugned suspension order passed by the second respondent vide his proceedings in Na.Ka.No.A1/4335/2012, dated 08.06.2017 and to quash the same and consequently to direct the respondents to re-instate the petitioner as Jeep Driver in the second respondent's office with all attendant benefits.

For petitioner	: Mr.M.S.Jeyakarthik
For R-1	: Mr.S.Kumar
	Additional Government Pleader
For R-2	: Mr.T.S.Mohamed Mohideen

O R D E R

The Writ Petitioner is working as Jeep driver in the second respondent Panchayat Union. He was suspended from service by order dated 08.06.2017 and the same is under question in this writ petition.

2. The writ petitioner seeks reinstatement as jeep driver in the office of the second respondent with all attendant benefits. During the pendency of the Writ petition, this Court gave a direction to the second respondent on 23.11.2017, permitting the writ petitioner to make a representation on or before 06.12.2017 for revocation of his suspension order and the second respondent was directed to consider the same and pass reasoned orders on merits and



communicate the same to the writ petitioner on or before 08.12.2017. The second respondent, in the meanwhile, had passed an order dated 29.11.2017, extending the punishment by further period of six months.

3. The learned counsel appearing for the writ petitioner submits that though the writ petitioner has made a representation on 27.11.2017, the order dated 29.11.2017, extending the period of suspension does not make any reference to the writ petitioner's representation dated 27.11.2017.

4. Since the order passed by this Court dated 23.11.2017 has not yet been complied with, I am of the view that this writ petition can be disposed of by directing the second respondent to pass orders on the writ petitioner's representation dated 27.11.2017, in accordance with law on or before 31.01.2018. It is made clear that such consideration shall be *de hors* the order of extension dated 29.11.2017. The second respondent is further directed to disburse the arrears of subsistence allowances due and payable to the writ petitioner.

5. The writ petition is disposed of, accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Commissioner,
Sankarankovil Panchayat Union,
Sankarankovil,
Tirunelveli District.

+ 1 CC TO Mr.M.S.JEYAKARTHIK, ADVOCATE IN SR No. 40449
+ 1 CC TO Mr.T.S.MOHAMED MOHIDEEN, ADVOCATE IN SR No. 40313
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 40540

KMI

TE/SV-MMS/SAR-1 : 25/01/2018 : 2P/6C

ORDER MADE IN
W.P. (MD) No. 20683 of 2017 and
W.M.P. (MD) Nos. 16967 and 16968 of 2017
04.01.2018