



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6817 of 2017

and

W.M.P.(MD)No.5375 of 2017

P.Thillai

... Petitioner

-Vs-

The Executive Officer,
Achanpudur First Grade Town Panchayat,
Achanpudur, Tirunelveli District.

...Respondent

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent in Na.Ka.No.10/2015 dated 30.11.2015 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.1467/2015 and 1468/2015 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 and the judgment of the Hon'ble Supreme Court of India reported in 2015(7) SCC 291.

For Petitioner : Mr.V.Vijay Shankar

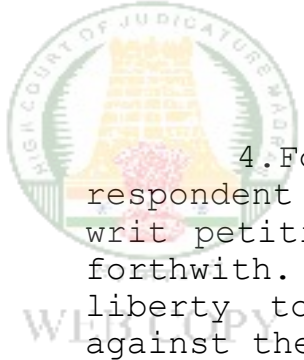
For Respondent : Mr.M.Rajarajan

ORDER

Heard the learned counsel on either side.

2.By consent of both parties, the main writ petition is taken up for final disposal.

3.The petitioner was sponsored by the Employment Exchange. He has been suspended from service on the ground that he falsely projected himself as a physically challenged candidate. Therefore, for the last several months, he is under suspension. The Division Bench of this Court in W.A.(MD)Nos.1467 & 1468 of 2015 - (S.Periyasamy, Jesu Antony Vs. The Executive Officer, Ayakudi Town Panchayat, Tirunelveli District) dated 23.09.2016, 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.



4. Following the said decision, this Court directs the respondent herein to revoke the order of suspension impugned in this writ petition and consequently reinstate the petitioner in service forthwith. It is, however, made clear that the respondent is at liberty to proceed with the disciplinary proceedings initiated against the petitioner and pass final orders in accordance with law.

5. This writ petition stands allowed, as indicated above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (C.o.)

/True Copy/

Sub Assistant Registrar

To
The Executive Officer,
Achanpudur First Grade Town Panchayat,
Achanpudur, Tirunelveli District.

+1CC to Mr.V.Karthikeyan, Advocate, SR.No. 54707

W.P. (MD) No. 6817 of 2017
12.03.2018

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