



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.03.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P.(MD).Nos.18942 to 18944 of 2016
and
W.M.P.(MD).Nos.13683 to 13686 of 2016

G.Premkumar ...Petitioner in W.P.(MD).No18942 of 2016
C.Santhanakumar ...Petitioner in W.P.(MD).No18943 of 2016
S.Veilumuthu ...Petitioner in W.P.(MD).No18944 of 2016

Vs.

The Executive Officer
Mukkudal Selection Grade Town Panchayat,
Tirunelveli, Tirunelveli District. ...Respondent

COMMON PRAYER: Writ petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration by declaring the orders of suspension issued by the respondent in its Na.Ka.Nos.113/2015, 151 of 2015 and 114 of 2015 dated 17.11.2015, 28.12.2015 and 17.11.2015 as invalid and in contravention of the Rule 5 of the Tamil Nadu Town Panchayat Establishment (Appointment and Appeal) Rules, 1988.

In all Writ Petitions
For Petitioners : Mr.V.Vijayashankar
For Respondent : Mr.Aayiram K.Selvakumar

COMMON ORDER

Heard the learned counsel on either side.

2.The petitioners in the respondent/Panchayat are working in various capacities such as Electrician Grade-II, Over Head Tank Operator and Sweeper. They were sponsored by Employment Exchange. They have been suspended from service on the ground that they have falsely projected themselves as physically challenged candidates. Therefore, for the last several months, they are under suspension. The Division Bench of this Court in W.A.(MD).No.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.



3. Following the said decision, this Court is inclined to direct the respondent herein to revoke the orders of suspension impugned in these writ petitions and consequently reinstate the petitioners in service forthwith. It is, however, made clear that the respondent is at liberty to proceed with the disciplinary proceedings initiated against the petitioners and pass final orders in accordance with law.

4. These writ petitions stand allowed, as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To

The Executive Officer
Mukkudal Selection Grade Town Panchayat,
Tirunelveli, Tirunelveli District.

+3cc to M/S.V.Karthikeyan, Advocate SR.No. 53971 to 53973

ORDER MADE IN
W.P.(MD).Nos.18942 to 18944 of 2016
08.03.2018

tsg
JM/SKN RSK/SAR 3/13.03.2018/2P/5C