



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.23120 to 23127 of 2016
and
W.M.P.(MD).Nos.16593 to 16608 of 2016 & 249 to 256 of 2017

A.Babu	... Petitioner in WP.(MD).23120/2016
S.SUBRAMANIAN	... Petitioner in WP(MD). 23121/ 2016
M.PETCHIMUTHU	... Petitioner in WP(MD). 23122/ 2016
M.CHELLAIAH	... Petitioner in WP(MD). 23123/ 2016
V.RAJU	... Petitioner in WP(MD). 23124/ 2016
D.SIVASANKAR	... Petitioner in WP(MD). 23125/ 2016
S.RAGHUNATH	... Petitioner in WP(MD). 23126/ 2016
P.RAMAMURTHY	... Petitioner in WP(MD). 23127/ 2016

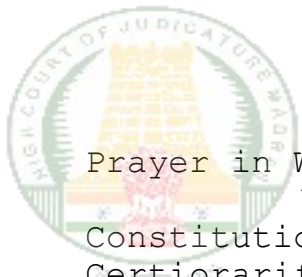
Vs.

The Executive Officer Naranammalpuram Selection Grade Town Panchayat, Naranammalpuram, Tirunelveli District.	...Respondent in all Writ Petitions
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Prayer in WP.(MD).23120/2016: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in Na.Ka.No.323-1/2015 dated 12.01.2016 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions of town panchayat employees stipulated in Rule 5 of Tamil Nadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

Prayer in WP(MD). 23121/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records of the respondent in Na.Ka.No.323-5/2015/A1 dated 23.12.2015 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions of town panchayat employees stipulated in Rule 5 of Tamilnadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.



Prayer in WP(MD). 23122/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records of the respondent in Na.Ka.No.323-2/2015 dated 12.1.2016 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions of town panchayat employees stipulated in Rule 5 of Tamilnadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

Prayer in WP(MD). 23123/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in Na.Ka.No. 323-5/2015 dated 23.12.2015 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions of town panchayat employees stipulated in Rule 5 of Tamil Nadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

Prayer in WP(MD). 23124/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records of the respondent in Na.Ka.No.329-2/2015/A1 dated 23.12.2015 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions of town panchayat employees stipulated in Rule 5 of Tamilnadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

Prayer in WP(MD). 23125/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records of the respondent in Na.Ka.No.323-1/2015 dated 23.12.2015 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions of town panchayat employees stipulated in Rule 5 of Tamilnadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

Prayer in WP(MD). 23126/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in Na.Ka.No. 323-4/2015 /A1 dated 23.12.2015 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions of town panchayat employees stipulated in Rule 5 of Tamil Nadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

Prayer in WP(MD). 23127/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records of the respondent in Na.Ka.No.323-2/2015/A1 dated 23.12.2015 and quash the same and consequently direct the respondent to reinstate the petitioner back into service in the light of the service conditions of town panchayat employees stipulated in Rule 5 of Tamilnadu Town Panchayat Establishment (Punishment and Appeal) Rules 1988.

For Petitioners : Mr.N.Balamuralikrishnan
in all Writ Petitions

For Respondent : Mr.M.Murugan
in all Writ Petitions

COMMON ORDER

Heard the learned counsel on either side.

2.The petitioners in the respondent/Panchayat are working in various capacities such as Sanitary Worker, Fitter, Tap Operator. 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/



To

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

+8ccs to M/S.V.Karthikeyan, Advocate SR.No. 53961 to 53968

ORDER MADE IN
W.P.(MD).Nos.23120 to 23127 of 2016
08.03.2018

tsg
JM/SKN RSK/SAR 3/13.03.2018/4P/10C