

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.16628 OF 2002

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the 1st respondent in terminating the services of the petitioner vide proceedings dated 17.8.2002, as arbitrary, illegal, discriminatory, without power or authority and also violative of the principles of natural justice, and consequently, to set aside the proceedings dated 17.8.2002, issued by the 1st respondent.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Endowments.

3. When the matter is taken up for hearing, learned Counsel for the petitioner submitted that on 2.9.2002, while admitting the writ petition, this Court granted interim suspension of the termination order, and by virtue of the said interlocutory order, the petitioner is continuing his services.

4. This Court having considered the submission made by the learned counsel for the petitioner is of the view that the impugned termination order was passed without giving any notice to the petitioner. Therefore, it is liable to be set aside.

5. Accordingly, the impugned termination order is set aside with all consequential benefits. If the petitioner is being continued in service by virtue of the interlocutory order passed by this Court, he shall not be disturbed.

6. With the above direction, the Writ Petition is allowed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 26th October, 2018.
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HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

131

WRIT PETITION No.16628 OF 2002

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