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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.07.2019
CORAM:
THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**
W.P.(MD)No.14863 of 2019
and
W.M.P.(MD)Nos.11365 to 11367 of 2019

Ayyanar ... Petitioner

Vs.

The Commissioner,
Municipality Office,
Melur,
Madurai District. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for records pertaining to the impugned order issued by the respondent vide Office proceedings in Na.Ka.No.1479/2014/C1, on the file of the respondent office, dated 17.07.2014, quash the same as illegal and consequently, direct the respondent to reinstate the petitioner into service with all consequential monetary and other attendant service benefits effect from 17.07.2014, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi

For Respondent : Mr.J.Gunaseelan Muthiah

ORDER

This Writ Petition has been filed seeking to quash the impugned order issued by the respondent, vide his proceedings dated 17.07.2014, in Na.Ka.No.1479/2014/C1 and consequently, direct the respondent to reinstate the petitioner into service with all consequential, monetary and other attendant service benefits with effect from 17.07.2014, within a time frame to be fixed by this Court.

2.Mr.J.Gunaseelan Muthiah, learned Standing Counsel takes notice for the respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, he joined as Sweeper in the respondent Municipality. On 16.02.2014, due to some previous land dispute, a quarrel arose between his relative one Veeran and the petitioner's sister *viz.*, Nachammal and hence, the petitioner

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interrupted and tried to pacify the situation. During the tussle, the petitioner sustained injuries and he was admitted at Melur Government Hospital and the said Veeran also sustained injuries and he was admitted in Government Rajaji Hospital, Madurai, and on 17.02.2014, the said Veeran passed away in the hospital. Therefore, a criminal case in Crime No.109 of 2014 was registered against the petitioner and his sister's family members. Subsequently, the respondent has passed the present impugned order dated 17.07.2014, suspending the petitioner temporarily from service. Hence, the petitioner has sent a representation on 06.11.2014 to the respondent requesting to cancel the temporary suspension order and permit him to continue in service, but, no action has been taken so far. Therefore, the petitioner has filed present Writ Petition for the relief stated supra.

4.The learned Standing Counsel appearing for the respondent submitted that the respondent would consider the petitioner's representation dated 06.11.2014 and pass appropriate orders, within a time frame to be fixed by this Court.

5.Recording the abovesaid submission made by the learned counsel appearing for the respondent, this Court directs the respondent to dispose of the petitioner's representation dated 06.11.2014, on merits and in accordance with law, as expeditiously as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order. Needless to say that, the petitioner shall forward a copy of the representation along with the copy of this order passed by this Court to the respondent, to enable him to comply with the directions of this Court, within the stipulated period.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

The Commissioner,
Municipality Office,
Melur, Madurai District.

+1CC To M/S.R.KARUNANIDHI, Advocate, Sr.No.73097

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