



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 23.04.2019

CORAM:

**THE HONOURABLE MR.JUSTICE. R.MAHADEVAN**

W.P.(MD)No.8700 of 2019  
and  
WMP(MD)No.6759 of 2019

M.A.Shahul Hameed

.. Petitioner

Vs.

The Executive Officer,  
Pallapatti Town Panchayat,  
Karur District.

.. Respondent

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 20.11.2018 vide proceeding in Na.Ka.No.151/2018 passed by the respondent and quash the same and consequently direct the respondent to reinstate the petitioner in service.

For Petitioner : Mr.T.Antony Arulraj  
For Respondent : Mr.S.Angappan  
Government Advocate

**ORDER**

This writ petition has been filed seeking to quash the impugned order of the respondent dated 20.11.2018 vide proceedings in Na.Ka.No.151/2018 and consequently direct the respondent to reinstate the petitioner in service.

2.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

3.The case of the petitioner is that he was suspended from service vide the proceedings of the respondent dated 20.11.2018 on the ground of lack of supplying the drinking water. According to the petitioner, earlier he was suspended from service on the ground of violation of Rules and thereafter, he was reinstated in service. Again, the respondent passed the impugned order, suspending the petitioner from service assigning flimsy reason, which is not sustainable in the eye of law and in order to quash the same, this writ petition has been filed.

4.The learned Government Advocate appearing for the respondent made submissions sustaining the impugned order passed by the respondent.



5. From a perusal of the typed set of papers it is seen that originally the petitioner was suspended on 11.07.2018 and such suspension was revoked on 16.11.2018, within a period of four months. Again the respondent suspended the petitioner by way of passing the impugned order dated 20.11.2018, which also proceeds devoid of reasons. Therefore, the action taken by the respondent is not countenanced and the impugned order is liable to be quashed.

6. In fine, this writ petition is allowed and the impugned order passed by the respondent dated 20.11.2018 in Na.Ka.No.151/2018 is quashed. However, the respondent is at liberty to proceed further in accordance with law, after affording an opportunity of hearing to the petitioner. No costs. Consequently, WMP(MD)No.6759 of 2019 is closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

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To

The Executive Officer,  
Pallapatti Town Panchayat,  
Karur District.

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate  
( SR-62120[F] dated 24/04/2019 )

W.P.[MD].No.8700 of 2019  
23.04.2019

ES/20.05.2019/2P/3C