



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :19.03.2019

CORAM:

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

WEB COPY

WP (MD) No.13291 of 2017

and

WMP (MD) No.10359 of 2017

1.N.Pandi

2.B.Sekar Pandi

... Petitioners

Vs.

The Executive Officer,
Vadipatti Town Panchayat,
Vadipatti,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to revoke the suspension of the petitioner and reinstate the petitioner in the post of Sweeper in the light of the order passed by the Hon'ble Supreme Court in *Ajay Kumar Choudhary Vs Union of India* reported in (2015) 7 SCC 291 within the time stipulated by this Court.

For Petitioners
For Respondent

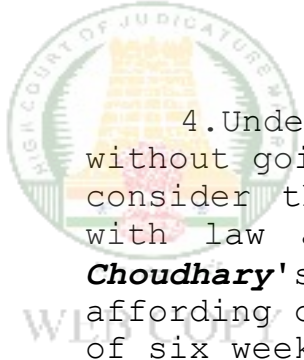
: Mr.T.Lajapathy Roy,
: Mr.V.Anand,
Government Advocate

ORDER

This writ petition has been filed seeking to direct the respondent to revoke the suspension and to reinstate the petitioner in the post of Sweeper, in the light of the order passed by the Hon'ble Supreme Court in ***Ajay Kumar Choudhary Vs Union of India*** reported in **(2015) 7 SCC 291**.

2.The case of the petitioners is that on account a false criminal case registered against them, they were placed under suspension by proceedings dated 17.08.2016 and seeking appropriate direction to the respondent for revocation of suspension order and for reinstatement, the petitioners into service, in line with the judgment of the Hon'ble Supreme Court in the case of ***Ajay Kumar Choudhary Vs Union of India and another***, reported in **(2015) 7 SCC 291**, they are before this Court.

3.The learned Government Advocate appearing for the respondent submitted that the claim of the petitioners would be considered accordingly.



4. Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondent to consider the case of the petitioner, on merits and in accordance with law and also in the light of the decision in **Ajay Kumar Choudhary**'s case, cited supra and pass appropriate orders, after affording opportunity of hearing to the petitioners, within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of, on the above terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

The Executive Officer,
Vadipatti Town Panchayat,
Vadipatti,
Madurai District.

+1cc to Mr. T. Lajapathi Roy, Advocate, SR.No. 55252

WP (MD) No. 13291 of 2017

19.03.2019

dsk

KK/SAR/02.04.2019/ 2P- 3C