



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.1372 of 2016

and

WMP(MD) Nos.1151 to 1153 of 2016

K.Sethumadhavan Thambi

... Petitioner

vs.

1.The Director of Town Panchayat,
"Kuralagam", Opp. Esplanade Police Station/
Government Law College,
Chennai - 600 018.

2.The District Collector,
Nagercoil,
Kanyakumari District.

3.The Joint Director of Town Panchayats,
Nagercoil Division,
Collectorate,
Nagercoil,
Kanyakumari District.

4.The Executive Officer,
Vellimalai Town Panchayat,
Thirunainar Kurichy,
Ammandivilai Post,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the 4th respondent in his proceedings in Na.Ka.No.588/1997 dated 31.10.2003 and quash the same as illegal and consequently direct the respondents more specifically the 4th respondent to reinstate the petitioner forthwith into the service.

ORDER

This writ petition has been filed challenging the impugned suspension order passed by the fourth respondent dated 31.10.2003 and consequently direct the fourth respondent to reinstate the petitioner in service.

2. When the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents submitted that after filing of the present writ petition, the petitioner's suspension order came to be revoked and ultimately he was permitted to retire from service.

3. At this juncture, the learned counsel appearing for the petitioner submitted that though the petitioner was permitted to retire from service, the respondents have not settled the entire retirement benefits and only a portion of the subsistence allowance had been paid.

4. In such view of the matter, the petitioner is directed to submit a fresh representation to the respondents, indicating the balance of subsistence allowance payable as well as the dues related to the salary, pension arrears etc., within a period of two weeks from the date of receipt of a copy of this order. On such filing, necessary orders be passed thereon on merits and in accordance with law within a period of four weeks thereafter, after due opportunity of hearing to the petitioner.

5. The writ petition is disposed of with the above direction. No costs. Consequently, WMP(MD)Nos.1151 to 1153 of 2016 are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director of Town Panchayat,
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Ammandivilai Post,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-53381[F] dated 12/03/2019)

+1 CC to M/s.C.KISHORE, Advocate (SR-53519[F] dated
13/03/2019)

MJ

W.P(MD) No.1372 of 2016
11.03.2019

_KM/ (25.03.2019) 3P 7C