



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2019

CORAM:

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

W.P(MD) Nos.20680 to 20683 of 2018

M.Palanikasi ... Petitioner in W.P.(MD) No.20680 of 2018
S.Paulraj ... Petitioner in W.P.(MD) No.20681 of 2018
R.Mahendran ... Petitioner in W.P.(MD) No.20682 of 2018
M.Sudalaikani ... Petitioner in W.P.(MD) No.20683 of 2018

Vs.

1.The Director of Municipal Administration,
Chepauk, Chennai.

2.The Municipal Commissioner,
Kadayanallur Municipality,
Tirunelveli District.

... Respondents in all W.Ps.,

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to dispose of the petitioners' appeal dated 19.07.2017 within a time frame that may be stipulated by this Court.

For Petitioner
in all W.Ps., : Mr.R.Ponkarthikeyan

For Respondents
in all W.Ps., : Mr.V.Anand
Government Advocate

COMMON ORDER

These writ petitions have been filed to direct the first respondent to dispose of the petitioners' appeal dated 19.07.2017.

2.Heard the learned Counsel appearing on both sides and perused the materials available on record.

3.According to the petitioners, they were working in the respondent department and they were suspended from service, by order of the second respondent, dated 23.06.2015. Pursuant to the interim direction of this Court, the petitioners were reinstated. Again the petitioners were suspended from service, since the petitioners withdrew the petitions filed before this Court. Thereafter, the second respondent issued a charge memo,



dated 29.12.2015, to the petitioners and aggrieved by the same, the petitioners have filed batch of writ petitions and this Court directed the second respondent to review the order of suspension, in the event of explanation, that may be offered by the petitioners and further directed the second respondent that if the explanation offered by the petitioners is not acceptable, the second respondent is at liberty to appoint an Enquiry Officer and complete the enquiry.

4.Though the second respondent has considered the explanation offered by the petitioners, an Enquiry Officer was appointed and after conducting enquiry, the Enquiry Officer filed a report. Based on the same, the second respondent removed the petitioners from service, by proceedings dated 05.06.2017, against which, the petitioners preferred appeals before the first respondent on 19.07.2017. However, the first respondent has not proceed with the appeals filed by the petitioners. Hence, the present writ petitions.

5.The learned Government Advocate appearing for the respondents, on instructions, submitted that the appeals preferred by the petitioners would be disposed of on merit, within the time stipulated by this Court.

6.Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents to dispose of the petitioners' appeals, dated 19.07.2017 and pass appropriate orders, on merits and in accordance with law, after affording opportunity of hearing to the petitioners, within a period of twelve weeks from the date of receipt of a copy of this order.

7.These writ petitions are disposed of, on above terms. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Director of Municipal Administration,
Chepauk,
Chennai.



2.The Municipal Commissioner,
Kadayanallur Municipality,
Tirunelveli District.

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+4CC TO MR.R.PONKARTHIKEYAN, Advocate Sr. No.57603 TO 57606

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KG(CO)
TR (27.05.2019) 3P 7C