



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2019

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD)No.6311 of 2015

and

W.M.P. (MD)No.11030 of 2016

WEB COPY

- 1.A.Vijayan
- 2.I.Chendurpandian
- 3.N.Palavesam
- 4.K.Marimuthu
- 5.M.Karuppiah
- 6.S.Manikandashanmugam
- 7.M.Kartheeswaran
- 8.V.Arunachalamurugan
- 9.S.Ganesan
- 10.S.Muniraj Gandhi
- 11.U.Arunachalam
- 12.N.Marikumar
- 13.R.Balakrishnan
- 14.C.Vivekanandan
- 15.A.Suresh Kumar
- 16.M.Ravindran
- 17.R.Sakthivel
- 18.K.Madasamy Raja
- 19.V.Jeyarathinakumar
- 20.R.Radhakrishnan
- 21.K.V.Mariappan
- 22.G.Murugan
- 23.K.Viswanathan
- 24.N.Pauldurai
- 25.S.Nambirajan
- 26.J.Barnabas Soloman
- 27.L.Radhakrishnan
- 28.T.Rengadurai

... Petitioners

vs.

The District Officer,
Fire and Rescue Services,
Tirunelveli, Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records pertaining to the impugned order of recovery in Pa.Aa.No.65/2015, Na.Ka.No.13817/Aa/2013, dated 27.03.2015, signed on 06.04.2015 on the file of the respondent and quash the same.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondent

: Mr.D.Muruganandam

Additional Government Pleader



O R D E R

This Writ Petition is filed challenging the impugned order of recovery in Pa.Aa.No.65/2015, Na.Ka.No.13817/Aa/2013, dated 27.03.2015.

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2.The petitioners in this Writ Petition were appointed in the post of Fire Man in the year 1986. It is submitted that similar Writ Petition was filed earlier in W.P.(MD)No.4508 of 2015, by 12 persons, who are similarly placed and this Court has allowed the Writ Petition and quashed the impugned order of recovery, dated 04.02.2014. The learned Counsel for the petitioner seeks indulgence of this Court to allow this Writ Petition in tune with the order in the earlier Writ Petition in W.P.(MD)No.4508 of 2012, dated 03.09.2019.

3.In view of the order of this Court in a similar case, this Court is inclined to allow this Writ Petition. Accordingly, this Writ Petition is allowed and the impugned order of recovery in Pa.Aa.No.65/2015, Na.Ka.No.13817/Aa/2013, dated 27.03.2015, signed on 06.04.2015 passed by the respondent is set aside. However, it is open to the respondent to initiate appropriate proceedings in future in the manner known to law after giving adequate and sufficient opportunity to the petitioners. No costs. Consequently, connected miscellaneous is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

cmr

To

The District Officer,
Fire and Rescue Services,
Tirunelveli, Tirunelveli District.

+1 CC to SPL GP (SR-96356[F] dated 06/11/2019)

W.P. (MD)No.6311 of 2015
05.11.2019

CS(20.11.2019) 2P 3C