

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2020

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.NO.17813 OF 2007
(O.A.NO.615 OF 2004)

K.Palanisamy

... Petitioner

Vs.

1. The District Collector,
Karur District, Karur.
2. The Special Commissioner &
Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai - 5.

... Respondents

PRAYER : Originally this petition has been filed as Original Application No.615 of 2004 before the Tamil Nadu Administrative Tribunal at Chennai and after abolition of TNAT, petition has been transferred and numbered as W.P.No.17813 of 2007.

Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records on the file of the first respondent in connection with the order passed by him in his Proc.Na.Ka.A3/13481/1996 dated 01.02.2004 and consequently direct the respondents to reinstate the applicant in service with all monetary and service benefits.

For Petitioner : No appearance

For Respondents: Mr.K.Magesh

Special Government Pleader

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent in Proc.Na.Ka.A3/13481/1996 dated 01.02.2004 and consequently direct the respondents to reinstate the applicant in service with all monetary and service benefits.

2. It is averred in the writ petition that the petitioner has filed the Original Application before the Tamil Nadu Administrative Tribunal, Chennai. Subsequently, due to abolition

of the Tribunal, this matter was transferred to this Court and renumbered as W.P.No.17768 of 2007.

3. When the matter is taken up for hearing, there is no representation for the petitioner.

4. Learned counsel for the petitioner had withdrawn the vakalat and there is no representation for the petitioner for several years.

5. Mr.K.Magesh, learned Special Government Pleader appearing for the respondents would submit that departmental proceedings were initiated and inquiry was conducted and in the inquiry, it was found that the petitioner was unauthorisedly absent from duty without getting permission from the superior officials. Therefore, after inquiry, he was removed from service and the ground taken by the petitioner was that he was mentally retarded for four years for which he had not submitted any document to prove his illness. Therefore, in the inquiry, the charges were found to be proved and the explanation given by the petitioner was not satisfactory and the punishment was imposed on the petitioner by removing him from service. Though the petitioner filed this writ petition challenging the order of the first respondent dated 01.02.2004 in the year 2007 which was originally filed as O.A.No.615 of 2004 before the Tamil Nadu Administrative Tribunal, due to abolition of the Tribunal, the matter was transferred to Writ Court and renumbered as W.P.No.17813 of 2007. Even after giving several opportunities to the petitioner, he is not cooperating with the disposal of the writ petition.

6. From the perusal of the records, it is seen that a show cause notice was issued and the charges were framed against the petitioner and the inquiry was conducted. In the inquiry, it was found that charges framed against the petitioner were proved and thereby, imposed the punishment of removal from service.

7. This Court does not find any perversity in the impugned order passed by the first respondent and the explanation offered by the petitioner is not supported with any document. Therefore, under these circumstances, this Court finds no merit in this writ petition. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

sni

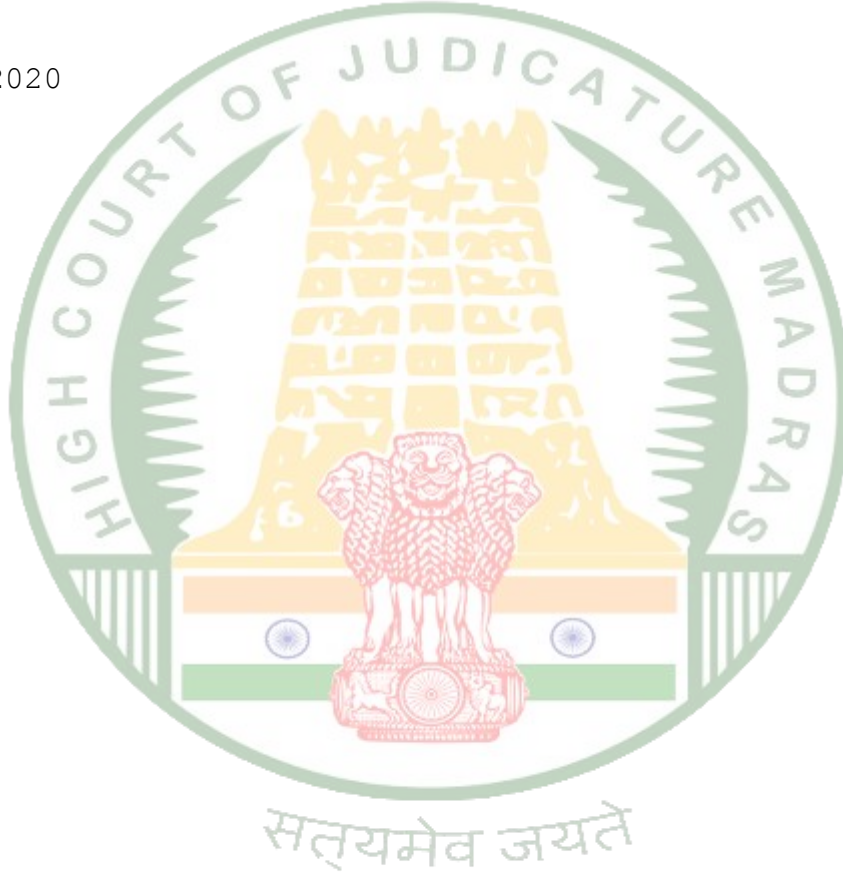
To

1. The District Collector,
Karur District, Karur.
2. The Special Commissioner &
Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai - 5.

+lcc to the Government Pleader, S.R.No.34776

W.P.No.17813 of 2007

EV(CO)
CS/03/12/2020



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