



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE RMT. TEEKAA RAMAN

WP(MD).No.7839 of 2013 and
M.P(MD).No.1 of 2013

A. Soundar Rajan : Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2.The Block Development Officer,
Reddiar Chathiram Panchayat Union,
Dindigul District.

3. Ponnimanturai Panchayat
rep. by its President,
Reddiar Chathiram Panchayat Union,
Dindigul District.

4.A. Lasar : Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the third respondent panchayat resolution dated 08.11.2012 and quash the same and consequently, direct the respondents 1 to 3 herein reinstate the petitioner into service with continuity of service along with all service and monetary benefits.

For petitioner : No appearance

For R1 : Mr.J. Gunaseelan Muthiah
Additional Government Pleader

For R2, R3 and R4 : No appearance



ORDER

This Writ Petition has been filed to call for the records relating to the third respondent panchayat resolution, dated 08.11.2012 and quash the same and consequently, direct the respondents 1 to 3 herein to reinstate the petitioner into service with continuity of service along with all service and monetary benefits.

2. There was no representation on behalf of the petitioner for more than five hearings and today also there is no representation on behalf of the petitioner. Since the matter is pending from 2013 without any progress, this Court is inclined to dispose of the writ petition on merits.

3. Mr. J. Gunaseelan Muthiah, learned Additional Government Pleader appearing for the first respondent would submit that the petitioner, who worked as a Over Head Tank Operator from 25.04.2003 at third respondent Panchayat, was not doing the work properly and he was wilful disobedience in the nature of work. Hence, the village people gave a complaint against the petitioner and accordingly, after following the procedure he was terminated from service.

4. The Writ Petitioner has challenged the order of dismissal on the ground that no opportunity was given to him. On perusal of the order it is seen that show cause notice was issued to the petitioner on 17.10.2002 and he has also submitted his explanation. Further, he was absent continuously for more than 10 months from work.

5. The sole point raised by the petitioner in the Writ Petition is that no sufficient opportunity was given to him. However, sufficient opportunity was duly given to the petitioner, this Court is of the view that there is no merits in this Writ Petition.

6. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (A.S)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

trp



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Block Development Officer,
Reddiar Chathiram Panchayat Union,
Dindigul District.
- 3.The President,
Ponnimanturai Panchayat
Reddiar Chathiram Panchayat Union,
Dindigul District.

+1 CC to Mr.J. GUNASEELAN MUTHIAH, Advocate SR-15182.
+1 CC to the Spl GP SR-15223.

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