



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.06.2020
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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.3555 of 2020 and
WMP(MD).No. 3003 of 2020

R. Seenivasagan : Petitioner
vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Personal Assistant (Development) to District Collector,
Virudhunagar District,
Virudhunagar.

3.The Block Development Officer (Village Panchayat),
Sivakasi Union,
Virudhunagar District.

4.The President - Cum - Executive Officer,
Sithurajapuram Village Panchayat,
Sivakasi Panchayat Union,
Virudhunagar District.

5.S. Leelavathy : Respondents

PRAYER:- This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned order made in Office Order 1/2020 dated 31.01.2020 passed by the 4th respondent and quash the same.

For Petitioner	: Mr.D. Sadiq Raja
For R1 to R3	: Mr. V. Anand Government Advocate
For R4	: No appearance
For R5	: Mr. M. Mahabob Athit for M/s. Ajmal Associates

ORDER

This Writ Petition has been filed to quash the impugned order made in Office Order No. 1/2020, dated 31.01.2020 passed by the 4th respondent.



2. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner produced a letter signed by the 4th respondent, dated 27.05.2020, recalling the Office Order No.1 of 2020, wherein it is stated the petitioner was relieved from services of their Panchayat (Sitharajapuram Panchayat) and had been placed at the disposal of the Block Development Officer (VP, Sivakasi Union, Virudhunagar District) for being deployed for the needs at the office of the said Block Development Officer or any other Panchayat.

3. The learned counsel appearing for the respondents submitted that in the said recall letter, it has been admitted by the respondent that as rightly contended by the petitioner he can be proceeded against even in case of any allegation only after issuing a charge memo to him and giving full opportunity of hearing in compliance with the principles of natural justice. Therefore, keeping in mind the interest of panchayat, she is recalling the order dated 31.01.2020, reserving the right to proceed against him in the manner known to law, in accordance with the applicable service rules.

4. In view of the recalling of the order dated 31.01.2020, by the respondent authorities itself, this Writ Petition is disposed of with liberty to the respondents / authorities to proceed against the petitioner in the manner known to law, in accordance with the applicable service rules. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

trp

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

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