



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.10.2020

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P. (MD) No.13997 of 2020

and

W.M.P. (MD) Nos.11648 & 11651 of 2020

WEB COPY

T.Muthu Ganesh

...Petitioner

Vs

1.The State of Tamilnadu,
represented by its Secretary,
Department of Municipal Administration and
Water Supply,
Fort.St.George,
Chennai 600 009.

2.The Commissioner of Municipal Administration,
Raja Annamalai Puram,
Chennai 600 028.

3.Regional Director of Municipal Administration,
Thanjavur,
Thanjavur District.

4.K.Uma Maheshwari

5.The Commissioner (i/c),
Aranthangi Municipality,
Aranthangi 614 616,
Pudukkottai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the 2nd respondent, Commissioner of Municipal Administration, in Roc.No.6158/J1/2020 dated 20/05/2020, quash the same and further direct the 2nd respondent herein to issue forthwith the joining order to the petitioner as Sanitary Officer in Aranthangi Municipality and disburse all arrears of salary w.e.f. 21.05.2020 to till date with all attendant benefits.

For Petitioner : M/s.A.Amala

For R1 to R4 : Mr.M.Karuppasamy

Government Advocate

For R5 : Mr.P.Mahendran

ORDER

Challenging the impugned order passed by the 2nd respondent in Roc.No.6158/J1/2020, dated 20.05.2020 and for issuing a direction to

<https://hcservices.ecourts.gov.in/hcservices/>



the 2nd respondent to issue an order appointing the petitioner as Sanitary Officer in Aranthangi Municipality and to disburse all arrears of salary with effect from 21.05.2020 to the petitioner, the present writ petition has been filed.

2. On a perusal of the available records, it is seen that this Court on 08.10.2020, has passed the following order:-

2. The learned counsel for the petitioner would submit that the petitioner was recruited and appointed as Sanitary Officer in the Chennai Corporation and finally he was transferred to Aranthangi Municipality as Sanitary Officer. But all of a sudden, the second respondent passed the impugned order relieving the petitioner from all the duties, due to the administrative reasons. The petitioner is not at all doing any work presently and the respondents have not paying any salary till date.

3. The learned Government Advocate for the respondents seeks time to take appropriate instructions.

3. When the matter is taken up for hearing today through video conferencing, the learned counsel appearing for the petitioner would submit that the petitioner was allowed to join duty in the office of the Commissioner of Virudhachalam Municipality on 14.10.2020.

4. The learned Government Advocate appearing for the respondents 1 to 4 would submit that the 2nd respondent, by proceedings dated 12.10.2020 directed the Commissioner of Virudhachalam Municipality to permit the petitioner to join duty and necessary calculation for the petitioner's salary has also been forwarded to the Commissioner of Virudhachalam Municipality along with the said proceedings dated 12.10.2020. Therefore, the learned counsels appearing for the respondents would submit that based on the calculation of the petitioner's salary, which was sent by the 2nd respondent along with the proceedings dated 12.10.2020, the petitioner's arrears of salary with effect from 21.05.2020 along with all attendant benefits will be disbursed by the Commissioner of Virudhachalam Municipality.

5. In reply, the learned counsel appearing for the petitioner would submit that it is suffice, if necessary direction is issued to the Commissioner of Virudhachalam Municipality for the disbursement of the petitioner's arrears of salary.

6. The learned Government Advocate appearing for the respondents 1 to 4 would submit that two weeks time may be granted for disbursement of the petitioner's arrears of salary to the petitioner.

7. In view of the submission made by the learned counsels appearing on either side and considering the facts and circumstances of the case, this Court is inclined to pass the following



direction:-

the Commissioner of Virudhachalam Municipality is directed to disburse the arrears of salary with effect from 21.05.2020 with all attendant benefits to the petitioner, within a period of two weeks from the date of receipt of a copy of this order;

8.The Registry is directed to mark a copy of this order to the Commissioner of Virudhachalam Municipality.

9.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

To

- 1.The Secretary,
Department of Municipal Administration and
Water Supply,
Fort.St.George,
Chennai 600 009.
- 2.The Commissioner of Municipal Administration,
Raja Annamalai Puram,
Chennai 600 028.
- 3.Regional Director of Municipal Administration,
Thanjavur,
Thanjavur District.
- 4.The Commissioner (i/c),
Aranthangi Municipality,
Aranthangi 614 616,
Pudukkottai District.



5.The Commissioner,
Virudhachalam Municipality.

+1 CC to M/s.SPL GP (SR-20541[F] dated 19/10/2020)

+1 CC to M/s.A..AMA;A, Advocate (SR-20574[F] dated 19/10/2020)

W.P. (MD) No.13997 of 2020
16.10.2020

CK(CO)
KB(04.11.2020) 4P 8C