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IN THE HIGH COURT OF JUDICATURE AT MADRAS

D A T E D : 29.10.2021

C O R A M

THE HON'BLE MR.JUSTICE C.SARAVANAN

WRIT PETITION NO.23325 OF 2021

AND

WMP.NOS.24603 & 24605 OF 2021

(THROUGH VIDEO CONFERENCING)

K.Saravanan

... Petitioner

Vs.

1. The Commissioner,  
Kuzhithalai Municipality,  
Karur District.

2. The Commissioner for Municipal Administration,  
No.75, Santhome High Road, MRC Nagar,  
Raja Annamalaipuram,  
Chennai-28.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the second Respondent dated 30.07.2020 and 19.09.2020 issued against the Petitioner in ROC.No.10053/2020/C1-5 and quash the same and consequently to direct the second Respondent to reinstate the Petitioner into service as Revenue Assistant in 1<sup>st</sup> Respondent Municipality by treating the period of suspension as duty for all purposes.

For Petitioner : Mr.P.I.Thirumoorthy

For Respondents : Mr.L.P.Mauriya  
Govt. Advocate for R-1

Mr.L.S.M.HasanFizal  
Govt. Advocate for R-2



O R D E R

The Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the second Respondent dated 03.07.2020 and 19.09.2020 issued against the Petitioner in ROC.No.10053/2020/C1-5 and quash the same and consequently to direct the second Respondent to reinstate the Petitioner into service as Revenue Assistant in 1<sup>st</sup> Respondent Municipality by treating the period of suspension as duty for all purposes.

2. The Petitioner had earlier filed a Writ Petition before the Madurai Bench of this Court in W.P.(MD)No.13193 of 2021. The Petitioner had challenged the proceedings of the first Respondent therein who is the second Respondent herein. The said Writ Petition was withdrawn by the Petitioner and after withdrawing the said writ petition on 17.03.2021, the Petitioner has now filed this present Writ Petition before this Court.

3. Prime facie it is clear that this present Writ Petition is without jurisdiction. The Petitioner is resorting to forum shopping since the major part of the cause of action arises within the jurisdiction of the Madurai Bench of this Court as a Show Cause Notice has been issued by the first Respondent. Therefore, this Writ Petition is liable to be dismissed, though the impugned suspension order has been passed by the second Respondent Commissioner for Municipal Administration, Chennai.

4. Therefore, this Writ Petition is dismissed by giving liberty to the Petitioner to approach the Madurai Bench of this Court for getting appropriate relief as the subsequent developments may give rise to fresh cause of action for the Petitioner to file a fresh Writ Petition. No costs. Consequently, connected WMP is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rrg

To

1. The Commissioner,  
Kuzhithalai Municipality,  
Karur District.



2. The Commissioner for Municipal Administration,  
No.75, Santhome High Road, MRC Nagar,  
Raja Annamalaipuram,  
Chennai-28.

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+1cc to Mr.P.I.Thirumoorthy, Advocate, S.R.No.56565  
+1cc to Mr.L.P.Mauriya, Advocate, S.R.No.56112

W.P.No.23325 of 2021

SMI (CO)  
PM/29/11/2021;