

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Twenty Ninth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU
and
The Hon`ble Mr Justice SENTHILKUMAR RAMAMOORTHY

W.A. (MD) Nos.761 to 769 of 2019
and
C.M.P. (MD) Nos.6717; 6721; 6722; 6725; 6727; 6731; 6733;
6738 and 6740 of 2019

V.PARVATHI	...	APPELLANT/PETITIONER in WA(MD) No.761/2019
R.RAVI	...	APPELLANT/PETITIONER in WA(MD) No.762/2019
M.PRAKASAM	...	APPELLANT/PETITIONER in WA(MD) No.763/2019
S.SENTHIL	...	APPELLANT/PETITIONER in WA(MD) No.764/2019
K.SOMASUNDARAM	...	APPELLANT/PETITIONER in WA(MD) No.765/2019
P.KAVERI	...	APPELLANT/PETITIONER in WA(MD) No.766/2019
S.SARALA	...	APPELLANT/PETITIONER in WA(MD) No.767/2019
S.R.SHANTHI	...	APPELLANT/PETITIONER in WA(MD) No.768/2019
A.CHELLAPAPPA	...	APPELLANT/PETITIONER in WA(MD) No.769/2019

Vs

- 1 THE DIRECTOR OF TOWN PANCHAYAT,
KURALAGAM, CHENNAI.
- 2 THE COLLECTOR,
TRICHY DISTRICT, TRICHY.
- 3 THE ASSISTANT DIRECTOR OF TOWN PANCHAYAT,
TRICHY ZONE, TRICHY.
- 4 THE EXECUTIVE OFFICER
METTUPALAYAM, TOWN PANCHAYAT,
TRICHY DISTRICT.

5 A.BALAKRISHNAN

... RESPONDENTS/RESPONDENTS
in ALL THE PETITIONS

Prayer in WA(MD).761/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed by this Hon'ble Court in WP(MD) No.20490/2013 dated 10.07.2019.

Prayer in WA(MD).762/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed by this Hon'ble Court in WP(MD) No.20491/2013 dated 10.07.2019.

Prayer in WA(MD).763/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed by this Hon'ble Court in WP(MD) No.20492/2013 dated 10.07.2019.

Prayer in WA(MD).764/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed by this Hon'ble Court in WP(MD) No.20493/2013 dated 10.07.2019.

Prayer in WA(MD).765/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed by this Hon'ble Court in WP(MD) No.20494/2013 dated 10.07.2019.

Prayer in WA(MD).766/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed by this Hon'ble Court in WP(MD) No.20495/2013 dated 10.07.2019.

Prayer in WA(MD).767/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed by this Hon'ble Court in WP(MD) No.20496/2013 dated 10.07.2019.

Prayer in WA(MD).768/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to set aside the order passed by this Hon'ble Court in WP(MD) No.20498/2013 dated 10.07.2019.

Prayer in WA(MD).769/2019 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased

to set aside the order passed by this Hon'ble Court in WP(MD) No.20499/2013 dated 10.07.2019.

**Common Prayer in C.M.P. (MD) Nos. 6717, 6721, 6722, 6725, 6727, 6731
6733, 6738 and 6740 of 2019 :**

To Stay the operation of the impugned order of the 4th respondent in its Na.Ka.No.21/2007 dated 05.12.2013 pending disposal of the main Writ Appeal respectively.

Common Prayer in WP(MD) .20490 to 20496 & 20498 & 20499/2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari calling for the proceeding of the 4th respondent in its Na.Ka.No.21/2007 dated 5.12.2013 and quash the same respectively.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.V.VIJAYSHANKAR, Advocate for the petitioner in all the petitions and of MR.M.KARUPPASAMY, Government Advocate for R1 to R4 in all the petitions, the court made the following order:-

[Order of the Court was made by K.RAVICHANDRABAABU, J.]

Mr.M.Karuppasamy, learned Government Advocate Takes notice for respondents 1 to 4. Issue notice to the fifth respondent, returnable by 26.08.2019.

2.Mr.V.Vijayshankar, learned counsel appearing for the writ petitioners/appellants submitted that when the proceedings initiated against the writ petitioners/appellants got terminated as early as in the year 2011, by issuing proceedings dated 09.08.2011, thereby exonerating the charges levelled against these petitioners, also by granting regularisation, the impugned order, dated 05.12.2013, issued by the Executive Officer of Mettupalayam Town Panchayat, that too, based on an order passed by the District Collector, dated 02.12.2013, was in total violation of the principles of natural justice, as the writ petitioners were not issued with any further communication or notice after the order, dated 09.08.2011. He further contended that these petitioners are not aware of the order passed by the District Collector, dated 02.12.2013 referred to in the impugned order before the writ Court. Therefore, he contended that the Writ Court, without considering these aspects, has chosen to dismiss the writ petitions. He further contended that all these petitioners are continuously working from the year 2007 onwards, till date.

3.Considering the above sated facts and circumstances, there will be an order of *status-quo* to be maintained by the respondents as on date, in respect of the employment of the appellants until further orders.

4.Post the matter on 26.08.2019 for filing counter.

sd/-

29/07/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DIRECTOR OF TOWN PANCHAYAT,
KURALAGAM, CHENNAI.
- 2 THE COLLECTOR,
TRICHY DISTRICT, TRICHY.
- 3 THE ASSISTANT DIRECTOR OF TOWN PANCHAYAT,
TRICHY ZONE, TRICHY.
- 4 THE EXECUTIVE OFFICER
METTUPALAYAM, TOWN PANCHAYAT,
TRICHY DISTRICT.

+9 CC TO Mr.V.VIJAYSHANKAR, ADVOCATE IN SR No.12424

ORDER
IN

W.A. (MD) Nos.761 to 769 of 2019
and

C.M.P. (MD) Nos.6717; 6721; 6722;
6725; 6727; 6731; 6733;
6738 and 6740 of 2019

Date:29/07/2019

RJ2

PK/PN/SAR2/02.08.2019 : 4P/14C

WEB COPY