



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2021

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE S. SRIMATHY

W.P(MD) No.871 of 2014 and
M.P(MD) Nos.1 and 2 of 2014

N.Justin Raj

:Petitioner

..VS..

1.The Director of Rural Development,
Panchayat Union,
Panagal Building,
Saidapet, Chennai - 600 015.

2.The District Collector,
Nagercoil,
Kanyakumari District.

3.Aruvikkari Village Panchayat,
rep. By its President,
Kaanivilai, Aruvikkarai Post,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of to issue a Writ of Certiorarified Mandamus calling for the records in pursuant to the impugned order passed by the 2nd respondent in proceedings in Na.Ka.No.Va3/41931/2009, dated 29.07.2011 and quash the same and consequently, direct the respondents to reinstate the petitioner in service as Panchayat Assistant / Clerk in Aruvikkari Village Panchayat, Thiruvattar Panchayat Union, Kanyakumari District with all attendant and monetary benefits.

For Petitioner : Mr. M. Saravanakumar

For respondents 1 and 2 : Mrs. D. Farjana Ghoushia
Special Government Pleader for



O R D E R

This Writ Petition has been filed to quash the impugned order passed by the 2nd respondent in proceedings in Na.Ka.No.Va3/41931/2009, dated 29.07.2011 and consequently, direct the respondents to reinstate the petitioner in service as Panchayat Assistant / Clerk in Aruvikkari Village Panchayat, Thiruvattar Panchayat Union, Kanyakumari District with all attendant and monetary benefits.

2. The writ petitioner was working as Clerk - cum - Assistant on consolidated pay in the third respondent Village Panchayat. The petitioner was suspended from service for allegation of misappropriation. A criminal case was initiated in Crime No.3 of 2002 and the petitioner was convicted. Now, the petitioner states that he has preferred the Criminal Appeal before this Court. He seeks liberty to challenge the order of suspension after the disposal of the Criminal Appeal.

3. Therefore, this Court grants liberty to challenge the order of suspension after disposal of the Criminal Appeal.

4. The Writ Petition is dismissed with liberty as stated above. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

1.The Director of Rural Development,
Panchayat Union,
Panagal Building,
Saidapet, Chennai - 600 015.

2.The District Collector,
Nagercoil, Kanyakumari District.

3.The President,
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