



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.03.2022

CORAM:

WEB COPY

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.Nos. 21422, 21507, 21514, 21423, 21426, 21427, 21429, 21523,
21503, 21680, 21684, 22059 and 22416 of 2021
and
WMP.Nos. 3419, 3425, 3426, 3422, 3421, 3428, 3424, 4011, 4213 of 2022,
22732, 22733, 22735, 22736, 22667, 22669, 22674, 22675, 22677,
22739, 22731, 22852, 22857, 23275, 23661 of 2021

V.ALAGU MAHESWARI	... PETITIONER in WP No.21422 of 2021
G.KOKILA	... PETITIONER in WP No.21507 of 2021
R. VIJAYAKUMAR	... PETITIONER in WP No.21514 of 2021
S.HEMALATHA	... PETITIONER in WP No.21423 of 2021
R.VIJAYALAKSHMI	... PETITIONER in WP No.21426 of 2021
K.SHENBAGAVALLI	... PETITIONER in WP No.21427 of 2021
M.VELMURUGAN	... PETITIONER in WP No.21429 of 2021
N.JOTHEESWARAN	... PETITIONER in WP No.21523 of 2021
M.NAGARAJAN	... PETITIONER in WP No.21503 of 2021
M.SAVITHA SARASWATHY	... PETITIONER in WP No.21680 of 2021
MR. A. KARTHICK	... PETITIONER in WP No.21684 of 2021
P.SAKTHI	... PETITIONER in WP No.22059 of 2021
A.DURGA	... PETITIONER in WP No.22416 of 2021

-VS-

CHENNAI METROPOLITAN
DEVELOPMENT AUTHORITY,
REP BY ITS MEMBER SECRETARY,
THALAMUTHU NATARAJAN BUILDING,
NO.1 GANDHI IRWIN ROAD,
EGMORE, CHENNAI- 600 008.

... RESPONDENT in WP Nos.21422, 21423,
21426, 21427, 21429, 21523, 21503,
21680, 21684, 22416 of 2021



WEB

CHENNAI METROPOLITAN
DEVELOPMENT AUTHORITY,
REP BY ITS MEMBER SECRETARY,
ADMINISTRATION WING,
GANDHI IRWIN ROAD,
EGMORE, CHENNAI - 600 008.

...RESPONDENT in WP Nos.21507, 21514 of 2021

- 1 SECRETARY TO GOVERNMENT,
HOUSING AND URBAN DEVELOPMENT DEPARTMENT,
GOVERNMENT OF TAMILNADU,
ST.GEORGE FORT,
CHENNAI-600 009
- 2 THE MEMBER SECRETARY,
(ADMINISTRATIVE DIVISION),
CHENNAI METROPOLITAN
DEVELOPMENT AUTHORITY,
THALAMUTHU NADARASAN BUILDING,
GANDHI IRWIN ROAD, EGMORE,
CHENNAI-600 008
- 3 THE DEPUTY DIRECTOR,
DISTRICT EMPLOYMENT
AND CAREER GUIDANCE CENTRE,
SANTHOME, CHENNAI-04

... RESPONDENTS in WP No.22059 of 2021

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned proceedings of the Respondent vide

- (i)Memo. No. E-3/ 1612/ 2020- 5 dated 25.09.2021
-(in WP No.21422 of 2021)
- (ii)Memo. No. E-9/ 1616 / 2020- 3 dated 25.09.2021
-(in WP No.21423 of 2021)
- (iii) Memo. No. E-9/ 1616 / 2020- 1 dated 25.09.2021
-(WP No.21426 of 2021)
- (iv) Memo. No. E-3 / 1612 / 2020- 7 dated 25.09.2021
-(WP No.21427 of 2021)
- (v)Memo. No. E-3 / 1612 / 2020- 4 dated 25.09.2021
-(WP No.21429 of 2021)
- (vi) Memo No.E-6/ 1615/2020-4 dated 25.09.2021
-(WP No.21523 of 2021)



(vii) Memo No.E-6 / 1615/ 2020-1 dated 25.9.2021
-(WP No.21503 of 2021)

(viii) Memo. No. E - 9 / 1616 / 2020 - 2 dated 25.09.2021
_(WP No.21680 of 2021)

(ix) Memo. No. E - 9 / 1616 / 2020 - 4 dated 25.09.2021
-(WP No.21684 of 2021)

and quash the same and further issue necessary direction to the Respondent to the service of the petitioner.

WP No.21507 of 2021:

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus,
Calling for the records relating to the impugned

(i) Memo No. E3 / 1612 / 2020-3 dated 25.9.2021
-(in WP No.21507/2021)

(ii)Memo No. E3 / 1612 / 2020-6 dated 25.9.2021
- (in WP No.21514 of 2021)

issued by the respondent Member Secretary, Chennai Metropolitan Development Authority and quash the same as being illegal, arbitrary and unconstitutional and direct the respondent to continue the petitioner in the post of Junior Assistant in the respondent CMDA with all attendant service benefits due seniority.

Prayer in WP No.22059 of 2021:

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent and the Impugned Proceedings of the Second Respondent vide MEMO No. E6/ 1615/ 2020-2 dated on 25.9.2021 and quash the same and consequently direct the second respondent to reinstate the petitioner into service with all attendant service benefits along with one month remuneration i.e September 2021 in lieu of the dispensation of termination notice and continuity of service.

Prayer in WP.22416/2021:

Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to notice vide office Memorandum NO.E3/1613/2020-1 Dated.25.09.2021 and quash the same.



WEB COPY

For Petitioner : Mr.M.Santhanaraman
WP.21422,21423,21426,21427,21429,
21523,21563,21503,21680,21684/21

For Respondent : Mr.R.Shanmugasundaram, AG
CMDA Assisted by
Mrs. Malarvizhi Udhayakumar
Ms.A.G.Shakeenaa

For Petitioner in
WP.21507,21514/21 :Mr.C.K.Chandrasekar
For Petitioner in
WP.22059/21 :Mr.D.A.Alexis Sudhakar
For Petitioner in
WP.22416/21 :Mrs.R.Revathy for
Mr.K.Kavikannan

COMMON ORDER

Challenging the impugned proceedings dated 25.09.2021 passed by the respondent, these writ petitions are filed.

2. According to the learned counsel appearing for the petitioners as per notification issued by the respondent, the petitioners have applied for the posts and after completion entire selection process conducted by the respondent, the petitioners were appointed in the posts. Suddenly, the respondent had issued impugned proceedings dated 25.09.2021 stating that they found certain irregularities in the appointments and hence decided to terminate the services of the petitioners. According to the learned counsel for the petitioners, the impugned proceedings of the respondent with preconceived notion to terminate the services of the petitioners is vexatious and baseless and liable to be set aside.

3. The learned Advocate General appearing for the respondents fairly submitted before this Court that after having discussion with the respondent, the respondent accepted and agreed to withdraw the impugned show cause notice and seek liberty to issue a fresh show cause notice and proceed in accordance with law. Insofar as wages is concerned, the respondents agreed and undertake before this Court to settle the salary to the petitioners from the date of issue of fresh show cause notice.

4. The said submissions of the learned Advocate General is recorded and by consent of both the learned counsels the following directions are issued;



- i. The respondent is directed to issue a fresh show cause notice to the writ petitioners within a period of four weeks from the date of receipt of a copy of this order.

WEB COPY

- ii. On receipt of such notice, the writ petitioners shall submit their objections / explanations to the respondents within a period of twelve weeks thereafter.

- iii. Thereafter, the respondents after affording due opportunities to the petitioners, shall pass appropriate orders on merits and in accordance with law, as expeditiously as possible.

5. With the above directions, these writ petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

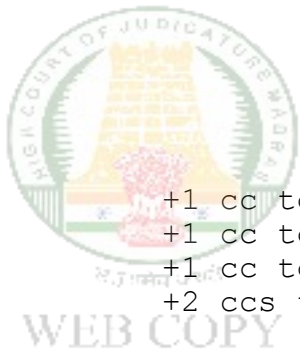
ak
To,

1. THE MEMBER SECRETARY,,
CHENNAI METROPOLITAN
DEVELOPMENT AUTHORITY,
THALAMUTHU NATARAJAN BUILDING,
NO.1 GANDHI IRWIN ROAD,
EGMORE, CHENNAI- 600 008.

2. SECRETARY TO GOVERNMENT,
HOUSING AND URBAN DEVELOPMENT DEPARTMENT,
GOVERNMENT OF TAMILNADU,
ST. GEORGE FORT,
CHENNAI-600 009

3. THE MEMBER SECRETARY,
(ADMINISTRATIVE DIVISION),
CHENNAI METROPOLITAN
DEVELOPMENT AUTHORITY,
THALAMUTHU NADARASAN BUILDING,
GANDHI IRWIN ROAD, EGMORE,
CHENNAI-600 008

4. THE DEPUTY DIRECTOR,
DISTRICT EMPLOYMENT AND CAREER GUIDANCE CENTRE,
SANTHOME, CHENNAI-04



+1 cc to Mr.C.K.Chandrasekar, Advocate Sr.NO.21221
+1 cc to Mrs. Malarvizhi Udhayakumar, Advocate Sr.NO.20928
+1 cc to M/s.R.Revathy, Advocate Sr.NO.20830
+2 ccs to M/s.D.Kalaiivani, Advocate Sr.NO. 20813

W.P.Nos. 21422, 21507, 21514, 21423, 21426,
21427,21429,21523, 21503,21680,
21684,22059 and 22416 of 2021

and

WMP.Nos. 3419,3425,3426,3422,3421,3428,
3424,4011,4213 of 2022, 22732, 22733, 22735,
22736, 22667, 22669, 22674, 22675, 22677, 22739,
22731, 22852, 22857, 23275, 23661 of 2021

NRL (CO)

A.SK(27/04/2022)