



W.P.(MD)No.27957 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.27957 of 2022

A.Suddendhar,

... Petitioner

Vs.

1. The Principal Secretary,
Department of Rural Development and Panchayat Raj
Government of Tamil Nadu,
Secretariat, Chennai.

2. The Commissioner
Rural Development and Panchayat Raj Department.
Panagal building,
Saidapet,
Chennai 15.

3. The District Collector,
Sivagangai District,
Sivagangai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pursuant to the impugned order passed by the third respondent in



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Na.Ka.iku1/9502/2016 dated 19.07.2022 and quash the same and consequently, direct the respondents to reinstate as Union Overseer, Rural Development and Panchayt Raj along with all monetary benefits, by considering an appeal filed by the petitioner dated 16.08.2022.

For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

O R D E R

This Writ Petition has been filed to call for the records pursuant to the impugned order passed by the third respondent in Na.Ka.iku1/9502/2016 dated 19.07.2022, quash the same and consequently, direct the respondents to reinstate the petitioner as Union Overseer, Rural Development and Panchayt Raj along with all monetary benefits, by considering an appeal filed by the petitioner dated 16.08.2022.

2. The case of the petitioner is that the petitioner was appointed as Technical Assistant under NREGS (National Rural Employment Guaranteed Scheme) and thereby, the Government absorbed the petitioner



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as Overseer before the Illyangudi Block Development Office. Thereafter, his appointment was regularised by the third respondent on 10.12.2009. The third respondent issued a charge memo vide proceedings dated 14.11.2019 stating that the petitioner was not completed his departmental exam within a stipulated time. Hence the petitioner filed a Writ Petition before this Court in W.P.(MD)No.5220 of 2019. This Court, by an order dated 06.09.2021, directed the third respondent to conclude the enquiry within a period of two months. After conducting an enquiry, the present impugned order is passed, as against which, the petitioner preferred an appeal before the second respondent on 16.08.2022. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would further submit that it would suffice, if the second respondent is directed to conclude the appeal of the petitioner, dated 16.08.2022, on merits and in accordance with law, within a specified period.



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4. The learned Additional Government Pleader appearing for the respondents would submit that the said appeal will be completed within a period of twelve weeks.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to conclude the petitioner's appeal, dated 16.08.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order after affording an opportunity of hearing to the petitioner as well as other interested parties, if any.

6. With the above direction, this Writ Petition is disposed of. No costs.

13.12.2022

Index : Yes / No

Speaking Order : Yes / No

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