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W.P. No. 11453 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 11453 of 2023

M. Muniappan

... Petitioner

-VS-

1. The Commissioner of Town Panchayat,
Commissionerate of Town Panchayat,
R A Puram, Chennai – 600 028.

2. The District Collector,
Dharmapuri District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to consider and pass orders on the Petitioner's appeal petition dated 06.04.2022, preferred against the order of Dismissal from service passed by the Second Respondent in his Proceedings Na. Ka. No. 5409/2010/pe3 dated 05.03.2022.

For Petitioner : Mr. G. Bala
for G. Bala and Daisy

For Respondents : Mr. B.Vijay,
Additional Government Pleader



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ORDER

Heard Mr. G. Bala, Learned Counsel for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had preferred an appeal dated 06.04.2022 before the First Respondent against the Proceedings in Na. Ka. No. 5409/2010/pe3 dated 05.03.2022 passed by the Second Respondent dismissing him from service, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the appeal dated 06.04.2022 preferred by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;



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(ii) if it is found that any other details or supporting documents is necessary,

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the deficiencies in that regard shall be informed in writing to the

Petitioner requiring the same to be furnished within a time frame of not

less than 15 days for the same;

(iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;

(iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment; and

(v) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

17.04.2023

skr

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 06.06.2023.



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To

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1. The Commissioner of Town Panchayat,
Commissionerate of Town Panchayat,
R A Puram, Chennai – 600 028.
2. The District Collector,
Dharmapuri District.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai.



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P.D. AUDIKESAVALU, J.

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