



W.P.No.15633 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

**W.P.No.15633 of 2014**

S.Arul

... Petitioner

Vs.

1. The District Collector,  
Villupuram District.
  2. The Director of Town Panchayat,  
'Kuralagam', Chennai - 108.
  3. The Secretary to Government,  
Municipal Administration & Water Supply Department,  
Fort St.George, Chennai - 9.
- ..Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus, calling for the records of the second respondent in connection with the impugned order passed by him in Na.Ka.No.16289/2009/A4-2 dated 17.05.2010 and quash the same and further direct the respondents to re-instate the petitioner into service and grant him all consequential service and monetary benefits and grant such other further relief.



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For petitioner : Mr.Mr.S.Venkatramani  
for Mr.M.Muthappan  
For respondents : Mr.S.Silambanan  
Additional Advocate General  
assisted by  
Ms.C.Sangamithirai  
Special Government Pleader

### **ORDER**

This writ petition is filed seeking for a direction to quash the impugned order passed dated 17.05.2010 in Na.Ka.No.16289/2009/A4-2 and direct the respondents to re-instate the petitioner into service and grant him all consequential service and monetary benefits.

2. During the course of submissions it is reported that the petitioner has preferred Statutory Appeal on 10.7.2010 before the Secretary to the Government, Municipal Administration & Water Supply Department, through the Executive Officer, Thiruvannainallur Taluk, Villupuram District, and the same is still pending. The petitioner has filed photo copies of the Statutory Appeal with an endorsement by the Secretary to the Government, Fort St.George, Chennai.



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3. The learned Additional Advocate General appearing on behalf of the respondents submitted the additional typed set of documents including status report and the other relevant records. One of the documents show that a letter addressed by the Secretary to the Director of Town Panchayat, 'Kuralagam', Chennai, asking to send the details of the appeal preferred by the petitioner. However, the Director of Town Panchayat, 'Kuralagam', Chennai, has sent a letter stating that the appeal alleged to have been filed by the petitioner was not found.

4. The learned Additional Advocate General has submitted that since Statutory Appeal is still pending, the relief sought by the petitioner in this writ petition cannot be entertained.

5. In view of the above submissions and taking into consideration of the records filed before this Court, this writ petition is disposed of with the following directions.

**DR. D.NAGARJUN,J.**

**vca**



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6. The petitioner is directed to file a fresh copy of the appeal before the second respondent and on receipt of the Statutory Appeal, the second respondent is directed to dispose of the same by following the procedure known to law, as quickly as possible, not later than 12 weeks from the date of receipt of copy of this order, without going into the technicalities in respect of the limitations, since the original writ petition has been filed long ago. No costs.

**20.12.2023**

***vca***

Index : Yes/No  
Citation : Yes/ No  
Internet : Yes/No

To:

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Villupuram District.
2. The Director of Town Panchayat,  
'Kuralagam', Chennai - 108.
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