



W.P.(MD)No.3013 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:15.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.3013 of 2023

G.Senthilkumar

... Petitioner

Vs.

1.The Chief Secretary/Director,
Anna Administrative Staff College and
Director General of Training,
Chennai.

2.The District Collector,
Trichy District,
Trichy.

3.The Additional Director,
Anna Institute of Management,
Old District Collector Office,
Trichy.

4.The Junior Administrative Officer,
Anna Institute of Management,
Old District Collector Office,
Trichy.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned proceedings of the first respondent in Proceedings No.B4/04/RC/2022-1 dated 11.02.2022, quash the same as illegal and consequently direct the respondents 1 and 2 to reinstate him in service.

For Petitioner : Mr.A.Arun Prasad
For Respondent : Ms.K.Christy Theboral
Additional Government Pleader

ORDER

This Writ Petition has been filed to call for the records pertaining to the impugned order of the first respondent in Proceedings No.B4/04/RC/2022-1 dated 11.02.2022, quash the same as illegal and direct the respondents 1 and 2 to reinstate him in service.

2. The learned counsel appearing for the petitioner would submit that the petitioner is the contract employee and he worked as Driver on contract basis by the proceedings of the first respondent dated 31.10.2020. However, the fourth respondent has forced the petitioner to



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give a letter as if he is not interested to pursue his employment and obtained the letter from him. Thereafter, the present impugned order has been passed by the first respondent removing the petitioner from service. Challenging the same, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. The facts in the present case are not in dispute. Admittedly, the petitioner was appointed as Driver on contract basis. It is alleged that the petitioner has given a letter as if he is not interested to continue his work as Driver. Based on the same, the present relieving order has been passed. However, the issue arising in the present writ petition is the disputed fact which cannot be decided by this Court under Article 226 of the Constitution of India. Liberty is granted to the petitioner to raise the issue before the appropriate Forum in the manner known to law.



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5. Accordingly, this Writ Petition is dismissed. No costs

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ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

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M.DHANDAPANI,J.

ssb

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