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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.13775 of 2023

and

WMP(MD)Nos.11602 & 11626 of 2023

V.Pushparaj

... Petitioner

Vs.

1.The Director of Town Panchayat,
Directorate of Town Panchayat,
Kuralagam, Chennai – 600 104.

2.The Assistant Director of Town Panchayat,
Nagercoil Region, Kanyakumari District.

3.The Executive Officer,
Thiruvattar First Grade Town Panchayat,
Kanyakumari District.

4.V.Benila Ramesh
President,
Thiruvattar First Grade Town Panchayat,
Kanyakumari District.

... Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue Writ of Certiorari to call for the records relating to the impugned order passed by the third respondent vide his proceedings in Na.Ka.No.494/2023/A1 dated 16.05.2023 and quash the same as illegal.



Petitioner : Mr.M.Mohamed Zamil
for M/s.Ajmal Associates

For Respondents : Mr.G.Suriyanath

Additional Government Pleader for R1&R2

Mr.N.Muthuvijayan for R3

Mr.F.Deepak for R4

ORDER

The petitioner is holding the post of Over Head Tank operator in the third respondent local body. By the impugned order, he has been suspended from service. I consciously refrain from going into the materials on record. Suffice it to say that the order of suspension has been passed under dictation. On this sole ground, I quash the suspension order. The petitioner shall be reinstated in service forthwith and without any delay. I make it clear that relief is granted to the petitioner only with regard to the suspension. It is stated that during the pendency of the writ petition, charge memo has been served on the petitioner. It is always open to the department to continue the disciplinary action initiated against him.



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2.This writ petition is allowed on these terms. No costs.

Connected miscellaneous petitions are closed.

30.06.2023

SKM

To

- 1.The Director of Town Panchayat,
Directorate of Town Panchayat,
Kuralagam, Chennai – 600 104.
- 2.The Assistant Director of Town Panchayat,
Nagercoil Region, Kanyakumari District.



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G.R.SWAMINATHAN, J.

SKM

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