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W.P.No.1443 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.1443 of 2024

and

W.M.P.No.1468 of 2024

K.Vishwanathan

....

Petitioner

Vs

1. The Principal Secretary/Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.

2. The Standing Committee,
Taxation and Finance,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.
Rep. by its Secretary.

3. The Deputy Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.

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Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order of the third respondent passed in his Na.Ka.No.M2/1161/2022 dated 10.08.2022 which was confirmed in appeal by the second respondent which was communicated by the first



W.P.No.1443 of 2024

respondent in his proceedings Na.Ka.No.E14/28149/2022 dated 15.12.2022 and quash the same and direct the respondents 1 to 3 to reinstate the petitioner in service with all benefits, i.e. by paying full salary and other benefits with continuity of service from the date of dismissal till the date of re-instatement.

For Petitioner : Mr.P.Ebenezer Paul
For Respondents : Mr.S.Gopinathan
Standing Counsel

ORDER

This Writ Petition has been filed challenging the order dated 10.08.20222 in Na.Ka.No.M2/1161/2022 passed by the third respondent, thereby removed the petitioner from service and the same was confirmed by the second respondent, which was communicated by the first respondent in his proceedings in Na.Ka.No.E 14/28149/2022 dated 15.12.2022.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. Though the petitioner challenged the order of removal and confirmed in the appeal, he also filed revision before the first



W.P.No.1443 of 2024

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respondent on 30.01.2023 and it is very much available without passing any order. The Chennai Corporation Class III and Class IV Service (Discipline and Appeal) by-laws provides revision under under Rule 23 before the Principal Secretary to Municipal Administration Department, Fort St.George, Chennai. Accordingly, the petitioner filed revision and it is pending.

4. Therefore, the Principal Secretary to Municipal Administration, Fort St.George, Chennai, is directed to consider the revision, after giving an opportunity to the petitioner, and pass 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.

5. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed.
No costs.

24.01.2024

Internet : Yes
Index : Yes/No
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W.P.No.1443 of 2024

G.K.ILANTHIRAIYAN, J.

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To

1. The Principal Secretary/Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.

2. The Secretary,
Standing Committee,
Taxation and Finance,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.

3. The Deputy Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai – 600 003.

Copy to :

The Principal Secretary,
Municipal Administration Department,
Fort.St.George,
Chennai.

W.P.No.1443 of 2024
and
W.M.P.No.1468 of 2024

24.01.2024