



WEB COPY

W.P.No.26361 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.26361 of 2021

and

W.M.P.No.27833 of 2021

K.Ramesh

... Petitioner

Vs.

1. The Commissioner,
Department of Adi Dravidar and Tribal Welfare,
Chepauk, Chennai – 600 005.
2. The Director of Tribal Welfare,
Chepauk, Chennai – 600 005.
3. The District Adi Dravidar Welfare Officer,
Vellore District, Vellore.
4. The Project Officer,
Tribal Welfare Department,
Thirupathur District, Thirupathur.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the 4th respondent in Na.Ka.PaMay/A1/243/2021 dated 25.11.2021 served on the petitioner on 26.11.2021 and to quash the same and consequently directing the respondents to allow the petitioner to continue to work in the post of Cook in Tribal Welfare Boys Hostel, Athanavur Village, Tirupathur District based on the appointment order issued



by the 2nd respondent in Na. Ka K1/17113/2018-59 dated 17.03.2020 with all consequential and other attendant benefits.

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For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : M/s.E.Ranganayaki,
Additional Government Pleader

ORDER

This Writ Petition has been filed questioning the proceedings bearing ந.க.பமே/அ1/243/2021 dated 25.11.2021, whereby the services of the petitioner were terminated by the 1st respondent and the petitioner was relieved from service with effect from 25.11.2021.

2. This Court while entertaining the Writ Petition, having taken note of the fact that the impugned order came to be issued without following the principles of natural justice, stayed the operation of the impugned order and the said interim order was made absolute by an order dated 24.07.2024. The said interim order passed by this Court has already been implemented by the respondents by duly reinstating the petitioner into service. As it is an admitted fact that the impugned order came to be issued in violation of the principles of natural justice, the same cannot be sustained under law.



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3. Accordingly, the impugned order bearing ந.க.பமே/அ1/243/2021 dated 25.11.2021 is set aside leaving it open to the respondents to take appropriate action in accordance with law. Accordingly, the Writ Petition is allowed. No costs. Connected Miscellaneous Petitions, if any shall stand closed.

31.07.2024
(1/2)

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

1. The Commissioner,
Department of Adi Dravidar and Tribal Welfare,
Chepauk, Chennai – 600 005.
2. The Director of Tribal Welfare,
Chepauk, Chennai – 600 005.
3. The District Adi Dravidar Welfare Officer,
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4. The Project Officer,
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MUMMINENI SUDHEER KUMAR, J.

skr

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