



W.P.(MD).No.3115 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.3115 of 2024

and

W.M.P(MD) No.3085 of 2024

Raja

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District.

2. The Block Development Officer,
Village Panchayat,
Kariapatty Union,
Virudhunagar District.

3. The President,
Mudukankulam Village Panchayat,
Kariapatty Union,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order of the second respondent made in Na.Ka. 01/2024, dated 12.01.2024, and quash the same, as arbitrary and illegal and to direct the second respondent to reinstate the petitioner for the post of Overhead Water Tank Operator.



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For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The instant Writ Petition has been filed by an Overhead Water Tank Operator, working in the second respondent Panchayat, challenging the order of suspension dated 12.01.2024.

2. A perusal of the suspension order reveals that the petitioner has been placed under suspension primarily on the ground that the petitioner has not chosen to submit his explanation to the charge memo dated 29.12.2023 within a period of 15 days.

3. A perusal of the charge memo, dated 29.12.2023 reveals that the said charge memo has been served upon the petitioner only on 04.01.2024. Therefore, it is clear that the petitioner has got time till 19.01.2024, to submit his explanation. However, the order of suspension has been passed on 12.01.2024 itself.



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4. In view of the above said facts, the suspension order impugned in the writ petition is set aside and the petitioner is directed to submit his explanation to the charge memo on or before **11.11.2024**. Thereafter, the third respondent is directed to complete the enquiry within a period of twelve weeks from the date of submission of the reply by the writ petitioner.

5. With the above said observations, this Writ Petition stands allowed to the extent as stated above. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

19.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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Village Panchayat, Kariapatty Union,
Virudhunagar District.
3. The President,
Mudukankulam Village Panchayat,
Kariapatty Union, Virudhunagar District.



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