



W.P.(MD).No.12872 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.12872 of 2024
and WMP(MD) Nos.11448 & 11449 of 2024

B .Mujibur Rahman

... Petitioner

Vs

1. The District Collector (Personal Assistant Development),
Ramanathapuram District.
2. The Assistant Director, (Panchayat),
Rural Development and Panchayat Raj Department,
Ramanathapuram District.
3. The Block Development Officer (Village Panchayath),
Paramakudi Block,
Ramanathapuram District.
4. The Zonal Deputy Block Development Officer (Zone1),
Paramakudi Block, Ramanathapuram District.
5. The President,
S.Andakkudi Panchayat,
Paramakudi Union,
Ramanathapuram District.
6. The Vice President,
S.Andakkudi Panchayat,
Paramakudi Union,
Ramanathapuram District.

... Respondents



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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 pertains to the impugned order passed by the 3rd respondent herein in Na.Ka.B6/4227/2023, dated 19.12.2023 and quash the same as illegal and consequently direct the 5th and 6th respondent to provide back wages, along with continuity of service and all other attendant service benefits.

For Petitioner : Mr. P.F.Ferlin Castro

For Respondents : Mr.Lingadurai
Special Government Pleader

ORDER

Heard Mr.P.F.Ferlin Castro, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.

2.The petitioner has filed this writ petition challenging the impugned order passed by the 3rd respondent herein in Na.Ka.B6/4227/2023, dated 19.12.2023 and consequently to direct the respondents 5 & 6 to provide him back wages, along with continuity of service and all other attendant service benefits.



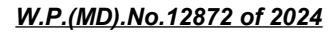
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3.The learned counsel for the petitioner submitted that even without giving any opportunity to defend the charges raised against him and also without furnishing any charge memorandum, the order of dismissal has been passed on 19.12.2023.

4.The learned Special Government Pleader appearing for the respondents submitted that the petitioner himself has admitted his liability of defrauding a sum of Rs.1,13,374/- by misusing the OTP and to that effect he had given admission letter on 19.12.2013 and consequent to that, he had remitted a sum of Rs.1,13,374/-. Since the petitioner had admitted the charges by himself, he had also paid the amount, there is no necessity caused upon the respondents to frame any charges and conduct a detailed enquiry.

5.Now, the learned counsel for the petitioner submitted that the letter, dated 19.12.2023 had been executed by him under some coercive circumstances and hence, he is entitled for a detailed enquiry.



6. Such factual aspects cannot be looked in this writ petition and

6. In fact, the petitioner has given a further request to reconsider the

7. With the above observations, this writ petition stands disposed

NCC : Yes / No
 Index : Yes / No
 Internet : Yes
PNM



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R.N.MANJULA, J.

PNM

**ORDER IN
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