



WP(MD) No.14015 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.14015 of 2024
and
W.M.P(MD)No.12285 of 2024

Murugan

... Petitioner

Vs.

1.The District Collector

Tirunelveli District.

2The Block Development Officer (VP),

Naguneri Panchayat Union,

Tirunelveli District.

3.The President

Paruthipadu Village Panchayat,

Naguneri Panchayat Union,

Tirunelveli District.



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4.The Panchayat Secretary
Paruthipadu Village Panchayat,
Naguneri Panchayat Union,
Tirunelveli District.

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus forbearing the respondents 3 and 4 from preventing the petitioner to discharge his duty as sweeper in the 3rd respondent panchayat.

For Petitioner : Mr.S.Kumar

For Respondents : Mr.M.Lingadurai – for R1

Special Government Pleader

Mr.D.Sasikumar – for R2 to R4

ORDER

The present writ petition has been filed seeking a Writ of Mandamus forbearing the respondents 3 and 4 from preventing the petitioner to discharge his duty as sweeper in the 3rd respondent panchayat.



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2. Heard Mr.S.Kumar, learned counsel for the petitioner, Mr.M.Lingadurai, learned Special Government Pleader appearing for the first respondent and Mr.D.Sasikumar, learned counsel appearing for the respondents 2 to 4.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. It is the case of the petitioner that the petitioner was appointed as Sweeper on 14.11.2013 at the third respondent panchayat for a consolidated pay of Rs.2,000/-. The petitioner's pay was revised and arrears were calculated to the tune of Rs.80,000/-. When the petitioner demanded to pay the same to the fourth respondent, he refused to release the pay. On 06.11.2023, the petitioner sent a representation to the third respondent stating that the petitioner continuously report to duty, but the fourth respondent due to personal vengeance has wrongly reported as absent from duty. Subsequently, on 08.01.2024 the petitioner sent a representation to the respondents 1 to 3 requesting to



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pay the arrears of salary and also forbearing the fourth respondent from preventing the petitioner to discharge his duty. Despite that the fourth respondent has not allowed the petitioner to discharge his duty and also refused to release the salary from July 2023 onwards and hence, the present writ petition has been filed.

5. The learned Special Government Pleader appearing for the first respondent would submit that the representation of the petitioner, dated 08.01.2024 would be considered by the respondents within a time frame fixed by this Court.

6. In the light of the above submission, there shall be a direction to the first respondent herein to pass final orders on the representation of the petitioner, dated 08.01.2024 on its own merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the first respondent to consider the same on its own merits.



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7. With the above direction, the Writ Petition stands

disposed of. No costs. Consequently, connected miscellaneous petition is closed.

28.06.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

RM

To

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2The Block Development Officer (VP),
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Tirunelveli District.

3.The President
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Naguneri Panchayat Union,
Tirunelveli District.

4.The Panchayat Secretary
Paruthipadu Village Panchayat,
Naguneri Panchayat Union,
Tirunelveli District.



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.14015 of 2024

28.06.2024