



W.P.(MD).No.24120 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24120 of 2024

and

W.M.P.(MD).Nos.20402 & 20404 of 2024

R.Rajendran

... Petitioner

vs

1. The District Collector,
Madurai District,
Madurai.

2. The Personal Assistant (Development) to the District Collector,
Madurai District,
Madurai.

3. The Block Development Officer, (Panchayats),
Thirupparankundram Panchayat (Union),
Thirunagar,
Madurai-625 006.

4. The President,
Nedumadurai Village,
Thirupparankundram Panchayat (Union),
Thirunagar,
Madurai-625 006.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned suspension order in Na.Ka.No.4923/2015/Oo.Va-8 dated 27.12.2022 passed by the 2nd respondent and quash the same and directing the respondents to reinstate the petitioner in service with all attendant monetary benefits without any break in service.

For Petitioner : Mr.K.K.Kannan
For Respondent Nos.1 & 2 : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The instant writ petition has been filed by a Panchayat Secretary challenging his order of suspension dated 27.12.2022.

2. A perusal of the suspension order reveals that the petitioner was directed to produce his original SSLC mark statement. Since he had not submitted the same, despite several warnings, the said order of suspension has been issued to the petitioner.



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3. The petitioner has been issued with a charge memo on 24.02.2023, and the petitioner so far not submitted his explanation for the said charge memo. A perusal of the charge memo also reveals that the same has been issued for non compliance of the directions issued by the department for production of SSLC mark statement.

4. The learned Counsel appearing for the petitioner submits that he is eligible to receive pension under the TamilNadu Village Panchayat Secretaries Rules, 2013.

5. Considering the fact that passing of SSLC is a mandatory qualification for being appointed as a Panchayat Secretary, and also considering the fact that the petitioner is yet to submit his SSLC mark statement, this Court is not inclined to interfere with the order of suspension. However, considering the fact that the order of suspension is in force for more than 1 ½ years, this Court is inclined to direct the petitioner herein to submit his explanation within a period of four (4) weeks from the date of receipt of a copy of this order. On submission of the said explanation, the respondents are directed to complete the enquiry within a period of twelve (12) weeks



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thereafter. The authorities are directed to release the eligible subsistence allowance to the writ petitioner.

6. With the above said observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

24.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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