



W.P(MD)No.27136 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.27136 of 2019 and
WMP(MD) No.23452 of 2019

J.Mangalam

... Petitioner

Vs

1.The District Collector,
Trichy District,
Trichy.

2.The Assistant Director of Town Panchayats,
Trichy District,
Trichy.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order of termination passed by the first respondent in his proceedings in Na.Ka.No.Pe.2/1534/2019, dated 15.07.2019, quash the same and consequently directing the respondents to reinstate the petitioner as Data Entry Operator in the second respondent office.



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W.P(MD)No.27136 of 2019

For Petitioner : Mr.B.Chandramohan
For Respondents : Mr.K.Balasubramaniam
Special Government Pleader

ORDER

The petitioner was appointed as a Data Entry Operator on contract basis in the office of the Assistant Director of Town Panchayats, Trichy/the second respondent herein, vide proceedings in Na.Ka.No.258/2011/Pe.2, dated 03.04.2017. The first respondent has received a complaint as against this petitioner from one Anandhajothe in the Grievance Day meeting conducted by him on 10.06.2019 that this petitioner has received a sum of Rs. 2,50,000/- from the said Anandhajothe, with a promise to arrange a Government employment for her son, namely, Santosh Raj and cheated the amount. This complaint of the said Anandhajothe was forwarded by the first respondent to the second respondent for necessary action. The second respondent, by his proceedings dated 18.06.2019, issued a show cause notice to this petitioner and called for an explanation. The petitioner has appeared for the enquiry and furnished a written explanation admitting the guilt, however pleaded that she will not



W.P(MD)No.27136 of 2019

repeat this offence again. Considering the admission made by this petitioner that she has received a sum of Rs. 2,50,000/- from the said Anandhajothi, for arranging a Government job for her son, the second respondent proceeded further with the enquiry and terminated her from service, vide proceedings in Na.Ka.No.P2/1534/2019, dated 15.07.2019. The order of termination is challenged in this writ petition.

2. The learned counsel appearing for the petitioner submits that it is only a money transaction between the said Anandhajothi and the petitioner. In fact, the petitioner has borrowed a sum of Rs.2,50,000/- from the said Anandhajothi, who is her distant relative and repaid a sum of Rs.50,000/- at that relevant point of time and later she has settled the remaining amount. The learned Counsel has also relied on a document entered between the petitioner and one Nithiyanandam/the husband of Anandhajothi and states that the entire amount borrowed by the petitioner has already been settled and the issue has also been amicably solved. Therefore,



W.P(MD)No.27136 of 2019

the learned counsel has requested to review the order of termination and to remand the matter to the authorities for fresh consideration.

3. The learned Special Government Pleader appearing for the respondents submits that this petitioner was appointed in their office on a contract basis. Even during her tenure on contract basis, this petitioner has abused her position in the second respondent office, gave assurance to one Anandhajothi that she would arrange a Government job for her son, received a sum of Rs. 2,50,000/-. During the enquiry, the petitioner has admitted that she has received the money from Anandhajothi, for arranging the job. However, she has pleaded that she would not repeat this offense again. Since the petitioner herself has admitted the guilt, the respondents, left with no other option, has proceeded further and terminated her from service. Therefore, there is no need to interfere with the order impugned in this writ petition.



W.P(MD)No.27136 of 2019

4.This court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner, a contract employee in the office of the Assistant Director of Town Panchayats, Trichy during her tenure has induced a person that she would arrange a Government employment, received a sum of Rs.2,50,000/-. The enquiry has been contemplated on the directions of the first respondent, based on the petition, which he has received in the Grievance Day meeting conducted on 10.06.2019. The second respondent has issued a show cause notice, called for an explanation from the petitioner, recorded her statement on 28.06.2019, wherein, the petitioner herself has admitted the guilt and thereafter passed the impugned order of termination from service on 15.07.2019. This Court finds no violation in the enquiry proceedings conducted by the authorities. Therefore, there is no reason to interfere with the order impugned in this writ petition.



W.P(MD)No.27136 of 2019

6. Accordingly, this writ petition is dismissed. No Costs.

WEB CO Consequently, connected Miscellaneous Petition is closed.

13.11.2024

NCC:Yes/No

Index:Yes

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To

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Trichy District,
Trichy.

2.The Assistant Director of Town Panchayats,
Trichy District,
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W.P(MD)No.27136 of 2019

B.PUGALENDHI, J.

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