



W.P. No. 7937 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

W.P. No. 7937 of 2019

and

W.M.P. No. 8538 of 2019

V.Venkatasubramanian

... Petitioner

-VS-

1. The District Collector
Cuddalore District
Cuddalore.

2. The Block Development Officer
(Village Panchayat)
Kumaratchi Panchayat Union
Kumaratchi, Cuddalore District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order made in Na.Ka.No.A1/371/2018 dated 18.05.2018 issued by the second respondent and quash the same and consequently, directing the second respondent to reinstate the petitioner in service with continuity of service and back wages along with other attendant benefits.

For Petitioner : Mr.G.Pugazhenth

For Respondents : Mr.T.Chezhian, AGP (R1)
Mr.D.Suryanarayan (R2)



W.P. No. 7937 of 2019

ORDER

WEB COPY This writ petition has been filed challenging the order made in Na.Ka.No.A1/371/2018 dated 18.05.2018 issued by the second respondent and quash the same and consequently, directing the second respondent to reinstate the petitioner in service with continuity of service and back wages along with other attendant benefits.

2. Heard Mr.G.Pugazhenth, learned counsel for the petitioner and Mr.T.Chezhian, learned Additional Government Pleader for the first respondent and Mr.D.Suryanarayan, learned counsel for the second respondent and perused the materials placed on record, apart from the pleadings of the parties.

3. The petitioner was appointed as Panchayat Clerk on 01.05.1997 in C-Vakkaramari Village Panchayat on regular basis. Thereafter, he was transferred to Themmur Panchayat and appointed as Pachayat Seretary by an order dated 01.08.2014 issued by the second respondent and finally, he was working as Panchayat Secretary in Athipattu Panchayat. On 18.05.2018, the second respondent issued an order by discharging the petitioner from service on the allegation that the petitioner did not discharge his duties continuously and he had omitted to file reports as requested by the panchayat union and he failed



W.P. No. 7937 of 2019

to attend phone calls made by the second respondent. By finding various lapses

on the part of the petitioner, and as the petitioner has disobeyed the orders of the superiors and acted against them, he was discharged from service. Thereafter, the petitioner has submitted a representation dated 26.06.2018 to the first and second respondents to cancel the order of discharge and allow him to offer his explanation for the allegations made against him.

4. The learned counsel for the petitioner submitted that the respondent has sent the petitioner out of service without giving due opportunity to him.

5. However, it is seen from the letter of the Block Development Officer dated 03.08.2021, the petitioner has been asked to join duty immediately, and that was also not obeyed by him. It is also stated that the petitioner has not offered his explanation for the show cause issued to him on 22.05.2018 and 12.06.2018. It is up-to the petitioner to join duty and also offer proper explanation for the lapses pointed out on him.

6. As the order to reinstate the petitioner has already been issued that the petitioner himself has not made use of the opportunity, I feel no further order is required in this regard.



W.P. No. 7937 of 2019

7. In view of the same, the petitioner is at liberty to join duty within a period of one week from the date of receipt of a copy of this order.

8. With the above observations, this writ petition is disposed. Consequently, connected Miscellaneous Petition is closed. No costs.

21.04.2025

Internet: Yes/No
Speaking /Non-speaking order
Neutral Case Citation : Yes/No

Maya

To

1. The District Collector
Cuddalore District
Cuddalore.
2. The Block Development Officer
(Village Panchayat)
Kumaratchi Panchayat Union
Kumaratchi, Cuddalore District.



WEB COPY



W.P. No. 7937 of 2019

R.N.MANJULA, J.

Maya

W.P. No. 7937 of 2019

Dated : 21.04.2025