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W.P.No.23217 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2025

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.23217 of 2023

P.Govindarajalu

... Petitioner

Vs.

1.The Collector,
Kallakuruchi District,
Kallakuruchi.

2.The Revenue District Officer,
Thirukoilur Taluk,
Kallakuruchi District.

3.The Thasildar,
Thirukoilur Taluk,
Kallakuruchi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the third respondent to reinstate the petitioner in the post of Village Assistant of G.Ariyur Village, Thirukoilur Taluk, Kallakuruchi District, with all backwages by considering the representation of the petitioner dated 11.11.2019 & 10.09.2020 given to the first respondent.

For Petitioner

:

Mr.S.Srinath



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For Respondents 1 to 3 : Mr.S.Prabhakaran,
Government Advocate

ORDER

This writ petition has been filed by the petitioner to direct the third respondent to reinstate the petitioner in the post of Village Assistant of G.Ariyur Village, Thirukoilur Taluk, Kallakuruchi District, with all backwages by considering the representation of the petitioner dated 11.11.2019 & 10.09.2020 given to the first respondent.

2. Learned counsel for the petitioner submitted that after the retirement of petitioner's late father Mr.Pichaikaran as Village Assistant of G.Ariyur Villlage, the petitioner applied for the said post before the third respondent and after conducting proper interview, he was appointed to the post of Village Assistant of G.Ariyur vide proceedings in Na.Ka.A3.8286/89, dated 08.09.1989. This being the case, the petitioner was suspended from service from 17.10.1992 as he was implicated in criminal case along with three others. Thereafter, the petitioner was acquitted from the said case on 14.01.2003 for want of evidence.



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3. Learned counsel for the petitioner would further submit that the petitioner requested both the respondents 1 & 3 to reinstate him as Village Assistant and submitted a representation on 08.03.2010. However, the same was not considered. Therefore, he has submitted various representations on 03.01.2018, 11.11.2019 and 10.09.2020 before the respondents 1 & 3 respectively. But, till date no order was passed on the aforesaid representations. Aggrieved over the same, the petitioner has come forward with the present writ petition.

4. Learned Government Advocate appearing for the respondents would further submit that based on the representations of the petitioner dated 11.11.2019 and 10.09.2020, the third respondent has sent a proposal, seeking advice in regard to reinstatement of the petitioner as Village Assistant of G.Ariyur Village to the first respondent on 11.03.2023 and the same is pending. Hence, he prayed that this Court may direct the first respondent to furnish the advice/opinion to the third respondent in regard to the reinstatement of the petitioner.



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5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the submission made by the learned Government Advocate appearing for the respondents that the third respondent has considered the representation of the petitioner and sent a proposal to the first respondent, this Court issues the following directions:

(i) The first respondent is directed to give necessary advice/opinion on the proposal forwarded by the third respondent vide letter dated 11.03.2023, within a period of six weeks from the date of receipt of a copy of this order.

(ii) On receipt of such advice/opinion from the first respondent, the third respondent is directed to consider the case of the petitioner in regard to the reinstatement to the post of Village Assistant in G.Ariyur Village, within a period of four weeks thereof.

7. This writ petition is disposed of with the aforesaid observation and



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directions. No costs.

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

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