



W.P.(MD)No.8611 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.03.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

W.P.(MD) No.8611 of 2021
and
W.M.P.(MD) No.6482 of 2021

S.Palani

... Petitioner

vs.

- 1.The Director of Town Panchayat,
O/o. the Director of Town Panchayat,
Chennai -28.
- 2.The District Collector,
Kanyakumari District.
- 3.The Assistant Director of Town Panchayat,
O/o. the Assistant Director of Town Panchayat,
Nagercoil, Kanyakumari District.
- 4.P.Kutralingam
Assistant Director of Town Panchayat,
O/o. the Assistant Director of Town Panchayat,
Nagercoil, Kanyakumari District.
- 5.The Executive Officer,
Thiruvithankodu Town Panchayat,
Kanyakumari District.



W.P.(MD)No.8611 of 2021

WEB COPY

6.V.Vinitha

The Executive Officer,
Thiruvithankodu Town Panchayat,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent no.5 to permit the petitioner to continue to discharge his duty in the post of Bill Collector at Thiruvithankodu Town Panchayat Office, Kanyakumari District and pay the monthly salary of the petitioner from the month of January 2021 to April 2021.

For Petitioner	:Ms.Rohini for M/S.T.Lajapathi Roy and associates
For R1 to R3	:Mr.D.Sadiq Raja Additional Government Pleader
For R5	:Ms.S.Mamtha for Mr.P.Subbaraj

ORDER

This Writ Petition has been filed with the following prayer:-

*“directing the respondent no.5 to permit the petitioner
to continue to discharge his duty in the post of Bill Collector*



W.P.(MD)No.8611 of 2021

WEB COPY at Thiruvithankodu Town Panchayat Office, Kanyakumari

District and pay the monthly salary of the petitioner from the month of January 2021 to April 2021.”

2.The facts of the case in a nutshell, led to filing of this Writ Petition and necessary for disposal of the same, are as follows:-

The petitioner was appointed as Bill Collector, vide proceedings of the second respondent, dated 09.04.2014 in the respondent Department. Thereafter, he was transferred to Keelkulam Town Panchayat and to the fifth respondent Town Panchayat on 10.08.2017 and 12.11.2018 respectively. Due to some disputes between the petitioner and the fifth respondent, the fifth respondent did not allow the petitioner to enter into the Office and sign in the attendance from 11.01.2021. In this regard, the petitioner made several representations before the fifth respondent and the last representation was given on 19.04.2021, copy of which is enclosed in page Nos.19 and 20 of the paper book, but no heed was paid



W.P.(MD)No.8611 of 2021

WEB COPY

by the fifth respondent nor the representation of the petitioner was considered. Thus, being no other alternative, the petitioner has filed the present Writ Petition seeking the relief as stated supra.

3.Heard Ms.Rohini for M/S.T.Lajapathi Roy and associates, learned counsel for the petitioner, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents 1 to 3 and Ms.S.Mamtha, learned counsel representing Mr.P.Subbaraj, learned counsel for the fifth respondent.

4.The learned counsel for the petitioner, while reiterating the averments made in the affidavit filed in support of this Writ Petition, submits that the fifth respondent may be directed to decide the representation of the petitioner dated 19.04.2021 by way of a reasoned and speaking order in accordance with law within the time stipulated by this Court.



W.P.(MD)No.8611 of 2021

WEB COPY 5.Ms.S.Mamtha, learned counsel representing Mr.P.Subbaraj, learned counsel for the fifth respondent submits that the petitioner was not discharging his duty with full sincerity and on her instructions, the entire salary payable by the respondents has already been paid to the petitioner. It was further submitted that if the petitioner has any grievance, he may file a fresh representation before the fifth respondent along with his grievances and claim and the same will be decided by the fifth respondent by way of a reasoned and a speaking order in accordance with law within the time stipulated by this Court.

6.After considering the arguments advanced by the learned counsels for the parties and after perusing the records and averments made in the Writ Petition, this Court deems it appropriate that no useful purpose will be served in keeping this Writ Petition pending before this Court.



W.P.(MD)No.8611 of 2021

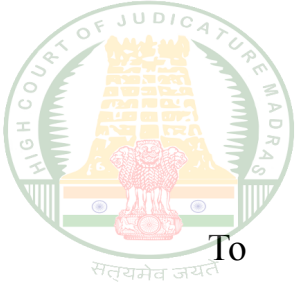
WEB COPY

7. Accordingly, the petitioner is directed to file a fresh representation before the fifth respondent bringing his claim and grievances annexing a copy of the representation dated 19.04.2021 within a period of four weeks from today. If any such representation is filed by the petitioner before the fifth respondent as per the time stipulated by this Court, the fifth respondent is directed to consider the same and pass a reasoned and a speaking order and in accordance with law, within a period of two months from the date of receipt of such representation and shall communicate the decision to the petitioner through Registered Post with Acknowledgement Due (RPAD) within a period of two weeks thereafter.

8. With the aforesaid directions, the Writ Petition is finally disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
mm

17.03.2025



W.P.(MD)No.8611 of 2021

To

WEB COPY

- 1.The Director of Town Panchayat,
O/o. the Director of Town Panchayat,
Chennai -28.
- 2.The District Collector,
Kanyakumari District.
- 3.The Assistant Director of Town Panchayat,
O/o. the Assistant Director of Town Panchayat,
Nagercoil,
Kanyakumari District.
- 4.Assistant Director of Town Panchayat,
O/o. the Assistant Director of Town Panchayat,
Nagercoil,
Kanyakumari District.
- 5.The Executive Officer,
Thiruvithankodu Town Panchayat,
Kanyakumari District.
- 6.The Executive Officer,
Thiruvithankodu Town Panchayat,
Kanyakumari District.



WEB COPY



W.P.(MD)No.8611 of 2021

SHAMIM AHMED, J.

mm

W.P.(MD)No.8611 of 2021

17.03.2025