



W.A.(MD).No.154 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.A.(MD).No.154 of 2025
and
C.M.P.(MD).No.1009 of 2025

1.The State of Tamil Nadu,
Rep. by the Commissioner - cum -
Director of Differently Abled Welfare,
Welfare For Differently Abled Person Department,
Lady Wellington College Campus,
No.5, Kamarajar Salai,
Chennai – 600 005.

2.The District Collector,
Trichy District,
Trichy.

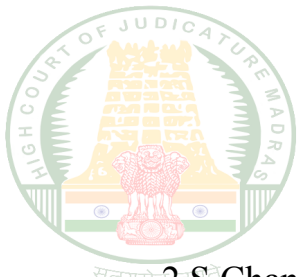
3.The District Differently Abled Welfare Officer,
Behind District Court Campus,
Cantonment,
Trichy - 620 001.

... Appellants/Respondents 1 to 3

Vs.

1.Dhana Anthony

... 1st Respondent/Writ Petitioner



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2.S.Chandramohan,

Presently Serving as
District Differently Abled Welfare Officer,
Behind District Court Campus,
Cantonment,
Trichy - 620 001.

... 2nd Respondent/4th Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 12.06.2023 passed in W.P.(MD).No.6197 of 2023 on the file of this Court and allow this Writ Appeal.

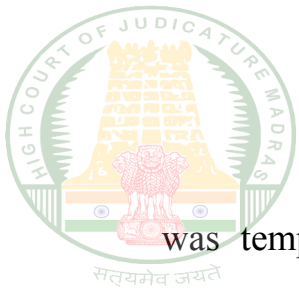
For Appellants : Mr.S.Shaji Bino
Special Government Pleader
For R-1 : Mr.P.M.Vishnuvarthan

JUDGMENT

(Judgment of the Court was made by M.S.RAMESH,J.)

This Writ Appeal has been filed against the order of the learned Single Judge in W.P.(MD).No.6197 of 2023 dated 12.06.2023.

2. The first respondent herein, who was appointed to the post of Mobile Van Assistant on consolidated pay on 13.07.2015, was unanimously terminated from service through an order dated 25.11.2021 by the District Collector, on the ground that he had submitted certain bogus testimonials at the time of his appointment. In the said order, it is stated that since the first respondent herein



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was temporarily appointed on a consolidated pay, no prior notice for the proposed action of termination was required.

3. When the said order was put under challenge before the Writ Court, the learned Single Judge, through an order dated 12.06.2023 in W.P.(MD). No.6197 of 2023, had found that since the appellants herein had terminated the service of the first respondent by casting a stigma, the principles of natural justice ought to have been followed and therefore, had set aside the impugned order of termination and directed them to reinstate him back into service. This order is put under challenge in the present Writ Appeal.

4. The first respondent herein had been in continuous service for more than six years. When the appellants had decided to terminate his service, law requires them to put the first respondent on notice of the proposed action, failing which, the order is not only against the violation of the principles of natural justice, but also in violation of Article 311 of the Constitution of India. Merely because the first respondent herein was appointed temporarily and on consolidated basis, it will not entitle the appellants to ignore the principles of natural justice, more particularly, when they allege that the first respondent herein had submitted some bogus testimonials at the time of joining. This apart,



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the order impugned in the Writ Petition is also vague as to the details of the testimonials, which they claim to be bogus.

5. In our considered view, the learned Single Judge had properly appreciated the grounds raised in the Writ Petition and had quashed the termination order. We find no reason to interfere with the well considered order and accordingly, the Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(M.S.R.,J.) (A.D.M.C.,J.)
28.01.2025

NCC : Yes / No
Index : Yes / No
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