



W.P(MD)No.10908 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.04.2025

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THE HONOURABLE MR. JUSTICE BATTU DEVANAND

W.P(MD)No.10908 of 2025

B.Krishnamoorthy

... Petitioner

Vs.

- 1.The District Collector,
O/o.The District Collector,
Viruthunagar District,
Viruthunagar.
- 2.The Assistant Director (Village Panchayat)
Department of Rural Development,
Viruthunagar District.
- 3.The Block Development Officer,
O/o.The Block Development Officer,
Rajapalayam,
Viruthunagar District.
- 4.The Special Officer,
Meenachiyapuram Panchayat,
Rajapalayam Taluk,
Viruthunagar District.
- 5.Arockiyasamy,
Ex-Panchayat President,
Meenachiyapuram Panchayat,
Rajapalayam Taluk,
Viruthunagar District.

... Respondents



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Prayer : This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent Nos.1 to 4 to allow the petitioner to continue his service as Overhead Tank Operator (OHT) with the respondent No.4 Panchayat and consequently direct the respondents 1 to 4 to disburse the arrears salary of the petitioner to him from the month of March, 2024 to till date by considering the petitioner's representation dated 30.01.2025, within time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.P.Subbaraj - for RR1 to 4
Special Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for respondents 1 to 4. Carefully perused the materials available on record.

2. Learned counsel for the petitioner submits that the petitioner joined the service as permanent Overhead Tank Operator with the fourth respondent Panchayat on 01.12.2011. On 06.12.2023, the fourth respondent issued an enquiry notice to that effect that there was a complaint illicitly raised against the petitioner that the public has not been supplied with drinking water and sought for explanation. The petitioner submitted explanation on 06.12.2023. Again on 19.03.2024, another enquiry notice

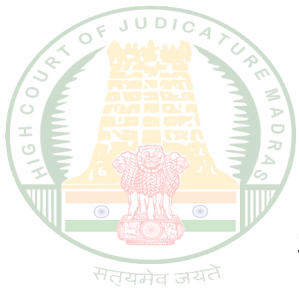


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was issued by the fifth respondent. Again the petitioner submitted an explanation on 25.03.2024. Even after submitting explanations, the respondents did not allow the petitioner to attend the duties. The petitioner submitted a representation on 30.01.2025 to the respondents requesting to allow him to continue his service and sought to disburse the arrears of salary. But no action has been taken by the respondents. Aggrieved by the same, the present writ petition is filed.

3. Learned counsel for the petitioner submits that without any suspension order, the respondents are prohibiting the petitioner to attend to his duties. Mere issuance of show cause notice is not sufficient for the respondents to prohibit the petitioner to attend the duties.

4. If the contention of the petitioner is true, then the action of the respondents in not allowing the petitioner to attend his duties is illegal, arbitrary and unjust. However, considering the fact that the petitioner submitted a representation on 30.01.2025 to the respondents and it is pending with them. In our considered view it is appropriate and desirable to direct them to consider the said representation and pass appropriate orders in accordance with law within the time to be stipulated herein to meet the ends of justice.



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5. Accordingly, this writ petition is disposed of with a direction to the respondents 1 to 4 to consider the representation dated 30.01.2025 of the petitioner and pass appropriate orders in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

6. There shall be no order as to costs.

21.04.2025

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

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To

1. The District Collector,
O/o. The District Collector,
Viruthunagar District, Viruthunagar.
2. The Assistant Director (Village Panchayat)
Department of Rural Development,
Viruthunagar District.
3. The Block Development Officer,
O/o. The Block Development Officer,
Rajapalayam, Viruthunagar District.
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BATTU DEVANAND, J.

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