**Sample Form**

In the High Court of Judicature at……………..

Name and Address…………………………………. Petitioner

*versus*

President, Municipal Board, …….. District ……..State of ……….. Respondent.

*Petition for a writ of* certiorari *under Art.* 226 *of the Constitution of*

*India to quash the order of the President, dated…………..* *refusing*

*to allow withdrawal of resignation*

The petitioner above named states as under :

1. That he was working as a Superintendent of he Municipal Board at ………… in the district of …..

2. That certain charges of misappropriation and other irregularities alleged to be committed by the petitioner were served on the petitioner on ….. by the respondent and some investigation was made in this behalf but the said charges were dropped against the petitioner on or about………

3. That the petitioner was made, under undue influence, to submit a letter of resignation from service to take effect one month after the date of submission thereafter. The petitioner asserts that he was not bound by the contents of the said letters.

4. That the petitioner withdrew by letter, dated………… the offer of resignation (prior to the date when the alleged resignation was to take effect) submitted on………. as stated above, and requested that the said offer of resignation be not considered and be deemed as withdrawn.

5. That the respondent rejected the prayer mentioned in para 4 above on …….. by this order, dated ………., and directed the petitioner to hand over charge of his office to………

6. That the petitioner move the …………….. [Appropriate Court] for a temporary injunction against the respondent to restrain him from giving effect to the said letter of resignation, in a suit filed for declaration that the said letter of resignation was not a voluntary one but had been extracted out of the petitioner under undue influence but the ……………..[Appropriate Court] discharged the rule issued for a temporary injunction in the said suit, as prayed for.

7. That the petitioner also submitted a representation to the State Government on……….. but the same has not yet been decided.

8. That being aggrieved by the order of the respondent, dated………… the petitioner approaches this Hon'ble Court for issue of a writ of *certiorari* and such other direction and order as it may deem just, on the following among other

*Reasons*

(i) That the suit filed by the petitioner, as stated in para 6 above, has become infructuous, the relief by means of a suit is not an equally adequate and efficacious one in the circumstances of this case.

(ii) That the letter of resignation above-mentioned was to take effect on ……… or thereafter, it was not an unconditional resignation. The petitioner had a right to intimate to the respondent that he no longer wished that this offer of resignation which was to come into existence from ……… should be considered as effective. Till…………….. there was no resignation at all.

(iii) That the respondent had no jurisdiction to reject the prayer contained in this letter, dated…….. withdrawing from consideration the offer of resignation submitted as alleged.

9. It is, therefore, prayed that the order issued by the respondent, dated ……….. mentioned above be quashed and such other direction or order as may be consequential and just in this behalf be made or passed.

*N.B*. - An affidavit in support of the petition along with the copy of the order, dated………. above-mentioned, and sought to be quashed, is also filed herewith.

(Sd.)

Petitioner

Dated ………….

(Sd.)

Counsel for the Petitioner.