

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25916 of 2015

M.Krishnamurthy

...Petitioner

Vs.

The Senior Regional Manager
The Tamil Nadu State Marketing Corporation Ltd
LLA Building,
Mount Road, Chennai -2.

...Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to consider the petitioner appeal dated 06.08.2013 preferred before against the order of the District Manager in Say Mu Ka No.A-2 8823-2013 dated 25.06.2013 thereby directing the respondent to dispose of the appeal in a time period.

For Petitioner : Mr.P.Sidharthan

For Respondent : Mr.S.Muthuraj

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner while working as a Salesman in shop no.8823, was visited with disciplinary proceedings which ultimately ended in dismissal from service vide order of the District Manager of Thiruvallur District dated 25.06.2013 and challenging the same, he filed appeal dated 06.08.2013 and since no orders have been passed, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that though the departmental appeal has been preferred in terms of the impugned order of dismissal from service as early as on

06.08.2013, the respondent did not choose to pass any orders so far and hence prays for appropriate direction.

4. Heard the submissions of Mr.P.Sidharthan, learned counsel appearing for the petitioner and Mr.S.Muthuraj, learned Standing Counsel who accepts notice on behalf of the respondent and would submit that appropriate orders will be passed very soon.

5. However, this Court expresses its dis-pleasure on the attitude of the respondent in not passing orders on the appeal nearly for two years and hopes and trust that in future, proper care will be taken by the concerned appellate authority to pass orders on the appeal petition submitted by the employees who are punished or dismissed from service.

6. This Court without going into the merits of the claim projected by the petitioner, directs the respondent to consider and dispose of the petitioner's appeal dated 06.08.2013 on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

pri

To

The Senior Regional Manager
The Tamil Nadu State Marketing Corporation Ltd
LLA Building, Mount Road, Chennai -2.

1 CC to Mr.P.Sidharthan, Advocate SR.No. 44297

W.P.No.25916 of 2015

VGI (CO)
PSI (09.09.2015)