

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29539 of 2015

Dr.V.Karikalan

... Petitioner

Vs.

1 The Secretary to Government
Animal Husbandry Dairying & Fisheries
Department Fort St. George Chennai-9.

2 The Director of Animal
Husbandry Teynampet Chennai-6.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st respondent the Secretary to Government, Animal Husbandry Dairying & Fisheries Department to dispose of the Review Petition given by the petitioner on 17.8.2015 to the 1st respondent herein within short date that may be fixed by this Honourable Court.

For Petitioner : Ms.G.Sridevi

For Respondents : Mr.V.Subbiah

Special Government Pleader

O R D E R

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

2.The petitioner while working as Assist Veterinary Surgeon, Veterinary Hospital, Vallam was issued with charge memo on 26.05.2005 and he has submitted his written statement and enquiry was conducted and the disciplinary authority vide order dated 21.01.2008 awarded the punishment of stoppage of increment for one year without cumulative effect. The petitioner has filed W.P.No.10151 of 2008 and this Court has directed the respondent therein to pass a reasoned order after taking note of the relevant materials namely, reply/ explanations submitted by the petitioner. In the meanwhile, the punishment has been given effect to and vide G.O.(D) No.215, Animal Husbandry, Dairying and Fisheries Department dated 12.06.2015 the first respondent has enhanced the punishment to one of stoppage of

increment without cumulative effect for a period of two years and on account of the currency of the punishment, the name of the petitioner has not been included in the panel for the post of Deputy Director of Animal Husbandry. The petitioner has also submitted a Review Petition on 17.08.2015 under Rule 37 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules to the first respondent/ Government and since no orders have been passed, came forward to file this writ petition.

3.Heard the submissions of Ms.G.Sridevi, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

4.This Court taking into consideration, the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's Review Petition dated 17.08.2015 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

- 1 The Secretary to Government
Animal Husbandry Dairying & Fisheries
Department Fort St. George Chennai-9.
- 2 The Director of Animal
Husbandry Teynampet Chennai-6.

+1 cc to Government Pleader, (sr.51526)
+1 cc to M/s. G.Sridevi, Advocate, sr.51137, (09/10/2015)

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LRS (co)
cp 06/10/2015