

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.29789 of 2015

D.Kathiresan

... Petitioner

Vs.

- 1 The Director of Handlooms and Textiles, Kuralagam, Chennai 108
- 2 The Managing Director, T.N. Handloom Weavers' Co-op. Society Ltd., 350, Pantheon Road, Egmore, Chennai 8
- 3 The General Manager (Admn.) T.N. Handloom Weavers' Co-op. Society Ltd. 350, Pantheon Road, Egmore, Chennai 8

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose the petitioners Revision Petition dated 10.03.2015 within the time prescribed by this Court.

For Petitioner : Mr. M.Muthappan
For Respondents : Mr. R.Bala Ramesh, AGP.,

O R D E R

Mr.R.Bala Ramesh, learned Additional Government Pleader, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner while working as a Driver in the services of the Tamil Nadu Handloom Weavers' Cooperative Society Limited, Egmore, Chennai, was placed under suspension on 28.04.2006 for the alleged theft of two old iron gates. In this regard, a case in Crime No.826 of 2006 was also registered by the Egmore Police Station, Chennai, for the alleged commission of offence under Section 379 IPC. Pending the said criminal case, the petitioner was issued with a charge memo dated 20.06.2006, for which he has submitted his explanation. The petitioner was honourably acquitted in the said criminal case. However, the disciplinary proceedings continued against the petitioner which ultimately resulted in the punishment of stoppage of increment for one year with cumulative effect. Aggrieved by the same, the petitioner has preferred an Appeal before the Managing Director and it was rejected.

3. The petitioner was also visited with another criminal prosecution in Crime No.1825 of 2012 for the alleged commission of offence under Section 380 IPC. The petitioner was once-again issued with a charge memo and on culmination of the disciplinary proceedings vide order dated 08.09.2012 the petitioner was imposed with the punishment of stoppage of increment for two years without cumulative effect and the appeal filed there-against before the Executive Director was also ended in dismissal. Though the petitioner has preferred an appeal to the Board of Directors, it was returned with a further direction to file a Revision under Section 153 of the Tamil Nadu Cooperative Societies Act, 1983. Accordingly, the petitioner filed a Revision before the first respondent on 10.03.2015. Since the same has not been disposed of, the petitioner has come forward to file this writ petition.

4. This Court heard the submissions of the learned counsel for the both sides and perused the materials available on record.

5. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, hereby directs the first respondent to consider and dispose of the Revision Petition, dated 10.03.2015, filed by the petitioner, on merits and in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

srk
To

- 1 The Director of Handlooms and Textiles, Kuralagam, Chennai 108
- 2 The Managing Director,
T.N. Handloom Weavers' Co-op. Society Ltd.,
350, Pantheon Road, Egmore, Chennai 8
- 3 The General Manager (Admn.)
T.N. Handloom Weavers' Co-op. Society Ltd.
350, Pantheon Road, Egmore, Chennai 8

+1cc to Mr.Balaramesh, Advocate, S.R.No.51732
+1cc to Mr.Muthappan, Advocate, S.R.No.51514
+1cc to the Government Pleader, S.R.No.51883

MG (CO)
EU(05/10/2015)

W.P.No.29789 of 2015