

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30465/2015

S.Sakthivel

..

Petitioner

Versus

1. The Director
Adi Dravidar Welfare Department
Chepauk, Chennai 600 005.
2. The District Adi Dravidar & Tribal
Welfare Department, Villupuram
Villupuram District.
3. The Special Tahsildar
Adi Dravidar Welfare Department
Ullundurpet Taluk, Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to pass orders on the appeal petition submitted by the petitioner dated 17.05.2010 against the order of punishment of censure issued by the 2nd respondent as per the proceedings in Na.Ka.No.M3.1170/2009 dated 05.04.2010 within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

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 discharging his duty as Teacher-cum-Warden, was placed under suspension, vide order of the 2nd respondent dated 09.01.2009 alleging certain lapses which took place at the time of inspection by the Assistant Director of Adi Dravidar and Tribal Welfare on 04.12.2008. The petitioner was also issued with a charge memo dated 06.03.2009 on five counts, on the allegation that at the time of inspection, the petitioner was not available in the Hostel premises and so also in the Movement Register and further that, the Stock Room Key was not handed over and consequently, the stock records could not be viewed/reviewed with regard to the number

of students who had taken food. The petitioner has offered his explanation to the charge memo denying all the charges. An Enquiry Officer was also appointed and vide his report dated 05.04.2010, he held that the charges have not been proved. The 2nd respondent/Disciplinary Authority deferred from the views of the Enquiry officer and after getting explanation of the petitioner, had imposed the punishment of Censure. The petitioner, challenging the legality of the said punishment, preferred a departmental appeal to the 1st respondent on 17.05.2010 and since no orders have been passed, he came forward to file this writ petition.

3 Heard Mr.G.Sankaran 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 prayer sought for by the petitioner and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner's appeal dated 17.05.2010 on merits and in accordance with law and pass 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.

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

s/d-
Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Director
Adi Dravidar Welfare Department
Chepauk, Chennai 600 005.
2. The District Adi Dravidar & Tribal
Welfare Department, Villupuram
Villupuram District.
3. The Special Tahsildar
Adi Dravidar Welfare Department
Ullundurpet Taluk, Villupuram District.

+ 1 cc to Govt.Pleader SR 52940

+ 1 cc to Mr.G.Sankaran, Advocate SR 52763

kji(co)
prk13/10

W.P.No.30465/2015