

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE HULUVADI G.RAMESH

AND

THE HONOURABLE MR. JUSTICE M. V.MURALIDARAN

W.P.No.18436 of 2016

and

W.M.P.No.16143 of 2016

P.Rajkumar

...Petitioner

Vs

1. The Principal District and Sessions Judge
Ariyalur, Ariyalur District.

2. The Registrar General
High Court
Chennai 600 104.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records pertaining to the order passed by the first respondent in his proceedings A.No.111/2016 dated 29.04.2016; to quash the same and to direct the respondents to confer all consequential benefits.

For Petitioner :: Mr. C.Selvaraju
Senior Counsel for
M/s.C.S.Associates

For Respondents :: Mr.V.Ayyadurai

ORDER

(Order of the Court was made by HULUVADI G.RAMESH, J.)

Heard Mr.C.Selvaraju, learned Senior Counsel for the petitioner and Mr.V.Ayyadurai, learned counsel representing the respondents.

2. It appears, when the petitioner while working as a Driver in the Fast Track Mahila Court, Ariyalur had indulged in certain alleged misconduct, viz., involved in several criminal cases. Therefore, the first respondent herein had initiated

disciplinary enquiry as against him. On conclusion of such enquiry, it was held that prima facie, the charges alleged against the petitioner were proved and therefore, vide the impugned order dated 29.04.2016 had imposed a punishment of removal from service with effect from 30.04.2016 A.N. The petitioner, in this writ petition, questions the legality of the said order passed by the Principal District and Sessions Judge, Ariyalur.

3. Admittedly, as against the impugned order, the petitioner has got a remedy of appeal before the Registrar General, High Court, Madras, viz., the second respondent herein. However, the petitioner without exhausting the said remedy as provided under the Rules has come before this Court.

4. In view of the above, the petitioner is directed to prefer an appeal, before the appellate authority concerned as against the impugned order dated 29.04.2016 passed by the first respondent, within a period of 30 days from today or within the statutory period as provided under the Rules, whichever is later.

5. Accordingly, this writ petition is dismissed with liberty as stated above. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge
Ariyalur, Ariyalur District.
2. The Registrar General
High Court
Chennai 600 104.

+1cc to M/S.C.S.Associates, Advocate Sr.34277

W.P.No.18436 of 2016

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srg 12/07/2016