

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SURESH KUMAR

W.P.No.1148 of 2010

B.Srinivasulu

...Petitioner

-Vs-

The Appointment Committee,
rep. by its Chairman,
Corporation of Chennai,
Ribbon Buildings,
Chennai-13.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to pass necessary orders on the petitioner's appeal dated 11.09.2009.

For Petitioner : Mr.G.Jeremiah

For Respondent : Mr.A.N.Thambidurai

ORDER

The petitioner has come out with this writ petition for the issuance of writ of mandamus directing the respondent to pass necessary orders on the petitioner's appeal dated 11.09.2009.

2. The grievance of the petitioner is that as against the order of compulsory retirement, dated 14.08.2009, he had preferred an appeal dated 11.09.2009 before the Appellate Authority, namely, the respondent, statutorily and the said appeal having not been considered and disposed, he had filed this present writ petition with the above referred prayer.

3. Heard the learned counsel for the petitioner and Mr.Mr.A.N.Thambidurai, learned Special Government Pleader appearing on behalf of the respondent.

4. Since the prayer sought for in the writ petition is only in respect of the disposal of the appeal pending before the respondent which has to be necessarily disposed of by the respondent, this Court is of the view that mandamus can be issued against the respondent to dispose the statutory appeal filed by the petitioner dated 11.09.2009.

5. Accordingly, writ petition is disposed of directing the respondent to dispose of the appeal dated 11.09.2009 on merits and in accordance with law within a period of three months from the date of

receipt of a copy of this order. It is made clear that necessary opportunity of being heard by way of personal hearing can also be given to the petitioner, if it is statutorily required, before disposal. No costs.

Index: No
Internet: Yes
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05.10.2016

To
The Chairman,
Appointment Committee,
Corporation of Chennai,
Ribbon Buildings,
Chennai-13.

R.SURESH KUMAR,J.

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