

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Petition No.6362 of 2015

P.K.Rajendran

....Petitioner

Vs.

1.The Principal District Judge,
Krishnagiri District,
Krishnagiri.

2.The Principal Subordinate Judge,
Krishnagiri.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records of the first respondent's proceedings in ROC.No.41/2010/A1 dated 22.04.2013 and quash the same and thereby direct the respondents to reinstate the petitioner as Full Time Masalchi in Sub Court, Krishnagiri.

For Petitioner : Mr.Durai Gunasekaran

For Respondents : Mr.R.Suresh Kumar for R1, R2

O R D E R
सत्यमेव जयते

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

This writ petition is filed praying to issue a writ of Certiorarified Mandamus, calling for the entire records of the first respondent's proceedings in ROC.No.41/2010/A1 dated 22.04.2013 and quash the same and thereby direct the respondents to reinstate the petitioner as Full Time Masalchi in Sub Court, Krishnagiri.

2.Heard the learned counsel appearing for the petitioner and the learned Counsel appearing for the respondents.

3.It appears that in connection with the misconduct and misbehaviour, enquiry has been conducted against the petitioner who worked as Full Time Masalchi in Principal District Court, Krishnagiri. After due enquiry, on the ground of acceptance of a sum of Rs.1 lakh with the promise to get employment in the District Court, charges framed against him have been proved and punishment of dismissal has been imposed. Aggrieved against the same, the present writ petition has been filed.

4.In the above circumstances, this Court is of the view that since the petitioner being employed in the Judicial Department, as per the Conduct Rules there being a remedy of appeal provided under the Rules, it would be suffice to direct the petitioner to file an appeal before the appellate authority. Since the impugned order has been passed in the year 2013, there is bound to be some delay in preferring the appeal. Accordingly, to afford an opportunity to the petitioner, in the interest of justice, the delay in preferring an appeal is condoned and it is for the petitioner to work out his remedy by filing an appeal before the Registrar General, High Court, Madras.

5.With the above direction, this Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

cse
To

1.The Principal District Judge,
Krishnagiri District, सत्यमेव जयते
Krishnagiri.

2.The Principal Subordinate Judge,
Krishnagiri.

+1 cc to M/s.Durai Gunasekaran Advocate sr.32603
+1 cc to Mr.R.Suresh Kumar Advocate sr.32384

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