

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.32528 of 2016

J.Karthikeyan

... Petitioner

Vs.

1.The Principle Secretary to
the Government,
Government of Tamil Nadu,
Higher Education Department,
Secretariate, Fort St. George,
Chennai 600 009.

2.The Executive Director,
Tamilnadu Cience and Technology Centre,
Chennai - 25.

... Respondent

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 05.08.2016, within a stipulated time as fixed by this Honourable Court.

For Petitioner : Mr.S.Srinivasu

For Respondents: Mr.S.Gunasekaran
Addl. Govt. Pleader

O R D E R

This writ petition has been filed seeking to issue a writ of Mandamus directing the first respondent to dispose of the petitioner's representation, dated 05.08.2016, within a stipulated time.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The case of the petitioner is that while he was working as a Scientific Assistant Grade-II, four disciplinary proceedings have been initiated against him for the alleged irregularities committed by him, pursuant to which, final orders have been passed in proceedings No.4191/E1/2005, dated

05.06.2014, No.3120/E1/2007, dated 05.06.2014, No.4722/E-1/2009 dated 05.06.2014 and No.3087/E1/2009, dated 05.06.2014, by the second respondent. In respect of three charges initiated against him punishment had been imposed and he was discharged as against one charge. At this juncture, it is pertinent to mention that the petitioner was permitted to retire from service on 30.09.2010 without prejudice to Departmental Enquiry. The petitioner preferred an appeal against the three charges wherein punishment was imposed, on 02.07.2014. Since the said appeal had not been disposed of by the first respondent, the petitioner has sent a representation dated 05.08.2016, to dispose of the said appeal. However, till date no results were forthcoming. Hence, the petitioner has preferred the present writ petition.

4.Considering the factual aspects of the matter, this Writ Petition is disposed of, with a direction to the first respondent to consider the petitioner's representation, dated 05.08.2016, seeking to dispose of the appeal, on merits and in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any opinion about the merits of the matter and it is for the first respondent to decide the same in accordance with law. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

smi
To,

1.The Principal Secretary to the Government,
Government of Tamil Nadu,
Higher Education Department,
Secretariat, Fort St. George,
Chennai 600 009.

2.The Executive Director,
Tamilnadu Cience and Technology Centre,
Chennai - 25.

+1cc to the Government Pleader, S.R.No.53490

SV(CO)
EU(1/11/2016)

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