

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.33959 of 2016

A.Paranthaman

... Petitioner

vs.

1. The Principle Secretary to the Government,
Govt. of Tamilnadu,
Higher Secondary School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Joint Director of School Education,
(Higher Secondary),
College Road,
Chennai- 600 006.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the first respondent to dispose of the petitioner's representation dated 30.08.2016 for disposing petitioner's appeal dated 19.01.2016 within a stipulated time as fixed by this Court.

For Petitioner : Mr.S.Srinivasu

For Respondents : Mr.S.Gunasekaran,
Additional Government Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the first respondent to dispose of the petitioner's representation dated 30.08.2016 for disposing petitioner's appeal dated 19.01.2016 within a stipulated time as fixed by this Court.

3. It is the case of the petitioner that he has joined as a post graduate teacher in Thiru Ve.Ka.Higher Secondary School,

Chennai on 05.02.1999 and promoted as Head Master on 01.06.2011. While being so, the petitioner was suspended from service on 26.02.2014 for the charges leveled against him. Thereafter, on 10.12.2015, the 2nd respondent by proceeding in No.1723/M imposed a punishment of compulsory retirement on 18.12.2015 with retrospective effect from 16.07.2014 by approving the proceedings of the Secretary, Thiru Ve.Ka Higher Secondary School Chennai in 123/AP/2014 dated 18.12.2015. Immediately after receiving the afore said proceedings of the 2nd respondent, the petitioner has filed an Appeal before the first respondent challenging the said proceedings of the 2nd respondent. But, the first respondent has kept the matter pending for a long time and has not taken any steps to conduct the enquiry. Hence, the petitioner has come forward with the present petition.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

5. Considering the submissions made on either side, without going into the merits of the claim made by the petitioner, this Court directs the first respondent to consider the representation of the petitioner dated 30.08.2016 and pass appropriate orders, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

mrp

To

1. The Principle Secretary to the Government,
Govt. of Tamilnadu,
Higher Secondary School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Joint Director of School Education,
(Higher Secondary),
College Road, Chennai- 600 006.

W.P.No.33959 of 2016

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RD 22/10/2016