

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:26.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.3607 of 2016
WMP.Nos.2971 and 2972 of 2016
&
WMP.No.6430 & 5883 OF 2016

G.Saravanan
Petitioner

Vs

- 1.The State of Tamil Nadu by Secretary to Government Backward Class, Most Backward Class and Minority Welfare Department, Secretariat, Chennai-9
- 2.The Commissioner of Most Backward Classes and Denotified Communities Welfare,Chepauk,Chennai-5
- 3.The District Backward Class and Minority Welfare Officer, Nagapattinam, Nagapattinam District.
- 4.K.Thavamani Respondents

Prayer:- This Writ Petition is filed u/a.226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the file of the 2nd Respondent in Connection with the order passed by him Proc.No.C1/2772/2015, dated 9.10.2015 and to quash the same and to direct the Respondents to restore the order of the 3rd Respondent dated 28.3.2015 in his proceedings No. Na.Ka.No.19515/2014/L.1 by re-promoting the Petitioner to the post of Jeep Driver with continuous service with effect from the date of 28.3.2015 with all monetary and service benefits.

For Petitioner : Mr.R.Jayaprakash

For Respondent : Mr.A.Kumar, SGP-RR1to3
Mrs.T.Aananthi-R4

ORDER

This Writ Petition is filed to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd Respondent in Proc.No.C1/2772/2015, dated 9.10.2015 and to quash the same and to direct the Respondents to restore the

order of the 3rd Respondent dated 28.3.2015 in Na.Ka.No.19515/2014/L.1 by re-promoting the Petitioner to the post of Jeep Driver with continuous service with effect from the date of 28.3.2015 with all monetary and service benefits.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. After some elaborate by the learned counsel on either side, it is pointed out by the learned counsel for the 2nd Respondent that there is an appeal provision available as against the impugned order and the Petitioner himself has already filed such an appeal dated 30.11.2015 before the Appellate Authority/ 1st Respondent. In such view of the matter, the 1st Respondent is directed to dispose of the appeal of the Petitioner dated 30.11.2015, on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected MPs are closed.

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To:

- 1.The Secretary to Government
Backward Class, Most Backward Class and Minority
Welfare Department, Secretariat, Chennai-9
 - 2.The Commissioner of Most Backward Classes and
Denotified Communities Welfare,Chepauk, Chennai-5
 - 3.The District Backward Class and Minority Welfare
Officer, Nagapattinam, Nagapattinam District.
- +1 cc to Govt.Pleader,sr.48697
- +1 cc to Mr.R.jayaprakash,advocate,sr.48659
- +1 cc to M/s.T.Arunmozhi,advocate,sr.48415.

nrjk(co)
krd 14/9

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