

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.721 of 2016

S.Kala

.. Petitioner

Vs

1.The Principal Secretary,
Home Department,
Government of Tamil Nadu,
Chennai.

2.The Director
Forensic Sciences Department,
Chennai-4.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and pass orders on the appeal dated 08.12.2014 preferred by the petitioner under Rule 19 of the TNCS (D & A) Rules.

For Petitioner : Mr.N.Vijay Narayanan, Senior Counsel
for Mr.R.Parthiban

For Respondents: Mr.V.Jayaprakash Narayanan
Spl. Government Pleader

सत्यमेव जयते
O R D E R

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

2. This writ petition is filed for issuing direction to the first respondent to pass orders on the appeal dated 08.12.2014 preferred by the petitioner under Rule 19 of the TNCS (D & A) Rules.

3. Mr.N.Vijay Narayanan, learned Senior Counsel for the petitioner submitted that the petitioner joined the service of the respondents in the year 1984 as a Scientific Assistant Grade II and she was completed more than 31 years of service with the satisfaction of the superior officials. While so, the second respondent issued a charge memo dated 10.05.2014 and also imposed a punishment of stoppage of increment for more

than three years without cumulative effect vide proceedings dated 09.12.2014. Aggrieved by the order, the petitioner has preferred statutory appeal before the first respondent.

4. The learned Senior counsel further submitted that the petitioner being third in the seniority is entitled to be promoted to the post of Deputy Director, however due to order of punishment, she is not considered and if the appeal is not disposed of early, her juniors would be promoted.

5. Heard the submissions of Mr. N.Vijay Narayanan, learned Senior Counsel for M/s.R.Parthiban and Mr.V.Jayaprakash narayanan, Special Government Pleader who accepts notice on behalf of the respondents.

6. This Court, considering the limited prayer sought for in the writ petition and without going into the merits of the case, directs the first respondent to dispose of the appeal of the petitioner dated 08.12.2014 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7.The Writ Petition is disposed of accordingly. No costs.

sd/-
Assistant Registrar (CO)

/TRUE COPY/

Sub-Assistant Registrar

kkd

To

1.The Principal Secretary,
Home Department,
Government of Tamil Nadu,
Chennai.

2.The Director
Forensic Sciences Department,
Chennai-4.

+1 CC to MR.R.Parthiban Advocate. SR.NO.1470
+1 CC to Govt.Pleader. SR.NO.1814

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CO-RSY
JD 11/01/2016