



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 11.07.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P(MD)No.18121 of 2015

The De-notified Tribes Welfare Association,
represented by its President Dr.M.Jebamani,
No.256/1,Dhanraj Complex, Bye-pass Road,
Madurai - 625 016.

.. Petitioner

Vs

1. The Secretary to Government of Tamil Nadu,
Department of Backward Classes,
Most Backward Classes and De-notified Tribes Welfare,
St.George Fort, Chennai- 600 006.

2. The Commissioner of Most Backward Class/
De-notified Tribes,
Chepauk, Chennai - 600 005.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to take time bound action on the appeal filed by the Petitioner on 13.7.2015 against the order dated 8.5.2015 of the Second Respondent.

For Petitioner : M/s.M.O.Thevankumar

For Respondents : Mr.S.Chandrasekar, Govt.Advocate

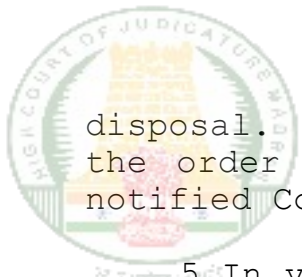
ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.No counter is filed on behalf of the Respondents.

4.According to the Learned Counsel for the Petitioner, the appeal filed by the Petitioner as President of De-notified Tribes Welfare Association, Madurai addressed to the First Respondent/The Secretary to Government of Tamil Nadu, Department of Backward Classes, Most Backward Classes and De-notified Tribes Welfare, St.George Fort, Chennai - 600 006 is pending as on date without any



disposal. As a matter of fact, the said appeal is filed against the order of the Commissioner of Most Back-Ward Classes and De-notified Communities Welfare(FAC), Chepauk, Chennai, dated 8.5.2015.

5. In view of the limited relief sought for by the Petitioner in the present Writ Petition I.e., to dispose of his appeal, dated 13.7.2015 pending before the Second Respondent/The Commissioner of Most Backward Class/De-notified Tribes, Chepauk, Chennai - 600 005, this Court, at this stage, without dwelling deep into the merits and contents of the appeal preferred by the Petitioner, simpliciter, in the interest of justice and fair play and also based on equity, directs the First Respondent to take up the appeal preferred by the Petitioner, dated 13.7.2015 within a period of one week from the date of receipt of a copy of this order. Thereafter, the First respondent is directed to dispose of the appeal preferred by the Petitioner on 13.7.2015 and to pass a reasoned speaking order on merits(of course after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit) within a period of six weeks thereafter. It is open to the Petitioner to produce copies of all necessary/relevant documents before the First Respondent and the First Respondent shall take into consideration of the same at the time of disposal of the appeal preferred by the Petitioner, dated 13.7.2015. The Petitioner is directed to lend his assistance and co-operation to the First Respondent in disposing of the appeal preferred by the Petitioner, dated 13.7.2015.

6. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government of Tamil Nadu,
Department of Backward Classes,
Most Backward Classes and De-notified Tribes Welfare,
St.George Fort, Chennai- 600 006.
2. The Commissioner of Most Backward Class/
De-notified Tribes,
Chepauk, Chennai - 600 005.

+ 1 CC TO MR.M.O.THEVANKUMAR, ADVOCATE IN SR No. 35902

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 35638

VSN

<https://hcservices.courts.gov.in/hcservices/>
TE/DE/ : 19/07/2016 : 2/5C

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