



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2016

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THE HON'BLE Dr.JUSTICE S.VIMALAW.P(MD) Nos.17812 of 2016

M.Sethumadhavan

... Petitioner

-vs-

1.The Executive Committee,
Tamilnadu Warehousing Corporation,
Chennai - 32.

2.The Managing Director,
Tamilnadu Warehousing Corporation,
Chennai - 32.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's appeal dated 20.08.2015 which has been preferred against the final order passed by the 2nd respondent in Proc.RC.1183/2013/E4 dated 01.07.2015 in accordance with law within a time framed as fixed by this Court.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.Rajaram
Standing Counsel**O R D E R**

This writ petition has been filed for the issuance of a writ of mandamus, directing the first respondent to dispose of the petitioner's appeal dated 20.08.2015 which has been preferred against the final order passed by the second respondent dated 01.07.2015.

2.Heard Mr.S.Sukumar, learned counsel appearing for the petitioner and Mr.Rajaram, learned Standing Counsel, who takes notice for the respondents. By consent the writ petition itself is taken up for final disposal at the admission stage.

3.The case of the petitioner is that he retired from service as a Warehouse Manager on 29.02.2016. During his tenure, he was suspended from service for not maintaining records and a charge memo under Rule 14(2) of the Tamil Nadu Warehousing



Corporation General and Staff Regulations, 1965 was issued against the petitioner. After receiving explanation, departmental enquiry has been conducted and final order has been passed on 01.07.2015, ordering recovery of Rs.3,70,781/- from the terminal benefits of the petitioner.

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4.The learned counsel for the petitioner submitted that even though the petitioner has not committed any offence or misappropriation in the respondent corporation, due to accumulation loss, the petitioner was put into disciplinary proceedings and the second respondent has also, without considering the explanation given by the petitioner, passed the final order dated 01.07.2015. Therefore, the petitioner has preferred an appeal before the first respondent on 20.08.2015. As the same has not been disposed of by the first respondent so far, this writ petition has been filed.

5.The learned Standing Counsel appearing for the respondents is agreeable to dispose of the Appeal preferred by the petitioner within the time frame to be fixed by this Court.

6.In view of the submission made by the learned Standing Counsel appearing for the respondents, the first respondent is directed to dispose of the appeal dated 20.08.2015, filed by the petitioner within a period of six weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub Assistant Registrar

mj

TO

1.The Executive Committee,
Tamilnadu Warehousing Corporation, Chennai - 32.

2.The Managing Director,
Tamilnadu Warehousing Corporation, Chennai - 32.

+1cc to Mr.S.Sukumar,Advocate Sr.No. 54737

JAM/14.10.16/GSV-PM/2p-4c

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