



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.18336 of 2016

P.Radhakrishnan

... Petitioner

-vs-

1.The President,
Appointment Committee,
Madurai Corporation Office,
Aringar Anna Maligai,
Madurai.

2.The Commissioner,
Madurai Municipal Corporation,
Corporation Office,
Aringar Anna Maligai,
Madurai.

3.The Assistant Commissioner,
Madurai Corporation Office,
Aringar Anna Maligai,
Madurai.

... Respondents

Prayer:-Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein consider and dispose the petitioner's appeals dated 15.04.2015 and 04.05.2016 challenging the final order passed in the disciplinary proceedings and the recovery order respectively within the time frame stipulated by this Court.

For Petitioner : Mr.R.Vijayakumar

For Respondents : Mr.Prabhu Ramachanran
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 consider and dispose of the petitioner's appeals dated 15.04.2015 and 04.05.2016, challenging the final order passed in the disciplinary



proceedings and the recovery order, respectively.

2. Heard the learned counsel appearing for the petitioner and the 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 petitioner was issued with a charge memo on the allegation that the revenue collected in the Sammtipuram Computer counter between 28.01.2010 and 02.02.2011 to the tune of Rs.1,55,162/- was not credited to the Corporation account. Similar charge memo seems to have been issued to three other employees, who were also working as Revenue Assistants in the same counter during the relevant period.

4. It is the grievance of the petitioner that without conducting any enquiry, the entire liability has been cast upon the petitioner without even distributing the liability to other persons who are similarly placed.

5. The petitioner has preferred two appeals, one is challenging the punishment imposed and the another is challenging the consequential recovery order and these two appeals are stated to be pending before the respondents for consideration.

6. The learned Standing counsel appearing for the respondents would submit that the appeals preferred by the petitioner will be considered by the respondents within the time to be fixed by this Court.

7. Under such circumstances, the first respondent is directed to consider and dispose of the appeals preferred by the petitioner dated 15.04.2015 and 04.05.2016 within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

+1 cc to The Special Government Pleader in SR.No. 56089

+1 cc to M/s.R.Prabhu Ramachandran, Advocate in SR.No.55650

+1 cc to M/s.R.Vijayakumar, Advocate in SR.No.55682