



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

Writ Petition (MD) No.2328 of 2016

I.Mogan Kaasilingam

... Petitioner

Vs.

The Secretary to Government,
Handlooms, Handicrafts, Textiles and
Khadi Department,
Secretariat,
Chennai 600 009.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing respondent i.e. the Secretary to Government Handlooms Handicrafts Textiles and Khadi Department Chennai to pass appropriate orders on the review petition dated 20.10.2015 filed by the petitioner for re inclusion of his name in the approved list of Handloom Officers of the year 1998-99 based on the orders dated 29.07.2009 of the Honourable High Court by quashing of show cause notice within a specified time frame that may be fixed by this Court.

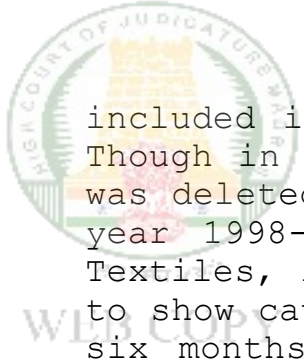
For Petitioner : Mr.S.Visvalingam
For Respondent : Mr.T.R.Janarthanam,
Additional Government Pleader.

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus to direct the respondent namely, the Secretary to Government, Handlooms Handicrafts Textiles and Khadi Department, Chennai to pass appropriate orders on the review petition dated 20.10.2015 filed by the petitioner for reinclusion of his name in the approved list of Handloom Officers of the year 1998-1999.

2.Heard the learned counsel appearing for the petitioner and Mr.T.R.Janarthanam, learned Additional Government Pleader who takes notice for the respondent.

3.The petitioner was the Handloom Officer in the office of the Assitant Director of Handlooms and Textiles, Erode and also retired on 31.01.2013. While he was in service disciplinary action was initiated against him based on certain allegations which were proved and inflicted punishment of stoppage of increment for a period of six months without cumulative effect. Pursuant to the same, an appeal was preferred before the Joint Director of Handlooms, Chennai which was also dismissed on 20.10.1997. According to him, in view of the said punishment, his name was not



included in the list of Handloom Officers of the year 1996-1997. Though in the year 1998-1999 his name was included subsequently it was deleted from the approved list of the Handloom Officers of the year 1998-1999. In the meantime, the Director of Handlooms and Textiles, issued show cause notice to the petitioner directing him to show cause as to why the punishment of stoppage of increment of six months should not be enhanced. Challenging the said notice, the petitioner has filed a writ petition in W.P(MD)No.799 of 2006. The said writ petition was allowed on 29.07.2009. Based on the said order, the petitioner preferred a review petition before the Government on 20.10.2015 for re-inclusion of his name in the approved list of Handloom Officers for the year 1998-1999, according to his feeder category seniority on par with his juniors. Since no order has been passed so far, the petitioner has come up with the above writ petition.

4. In such view of the matter, the writ petition is disposed of directing the respondent to consider the review petition of the petitioner dated 20.10.2015 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub-Assistant Registrar

To

The Secretary to Government,
Handlooms, Handicrafts, Textiles and
Khadi Department, Secretariat,
Chennai 600 009.

+One cc to M/s.S.Visvalingam, Advocate, SR.No.6370

+One cc to The Special Government Pleader, SR.no.6583

sms

RL/4C/AAL/MPA/10/2/2016

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