

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9389 of 2017

E.Selvaraj

... Petitioner

/versus/

The Registrar of Co operative Societies,
170, Periyar EVR High Road,
Kilpauk,
Chennai - 600 010.

... Respondent

Prayer: Writ petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus or order in the nature of Writ under Art.226 of the Constitution of India, directing the respondent to dispose the petitioner Appeal dated 04.04.2015 within in stipulated time, as against the order dated 13.02.2015 passed by the Joint Registrar, Coimbatore Region vide his proceedings Na.Ka.No.763/2013/PA3, dismissing him from Service.

For Petitioner : Mr.H.Rajasekar

For Respondent : Mr.L.P.Shanmugasundaram
Special Government Pleader

O R D E R

The grievances set out in the Writ Petition by the writ petitioner is that he was dismissed from service in order dated 13th February 2015. The order of dismissal was issued consequent to the Disciplinary Proceedings initiated against the writ petitioner and after conducting the enquiry.

2. Challenging the order of dismissal, the writ petitioner preferred an Appeal on 4th April 2015 itself. In fact any appeal preferred under the rules has to be considered and disposed of within a period of six months. But, the respondent is keeping the appeal under pending for more than two years. Hence, the writ petitioner is constrained to file this writ petition seeking for a direction.

3. The learned counsel appearing for the writ petitioner also restricted the prayer by submitting the it is suffice to issue a direction to the respondent to consider the appeal on merits. In view of the submission made, this Court is of the opinion that such a direction is certainly deserved to be issued on the facts of this writ petition.

4. Accordingly, the respondent is directed to consider the appeal submitted by the writ petitioner on 4th April 2015 on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the appeal along with the order passed in this writ petition.

5. With the above observations, this Writ Petition stands disposed of. However, there is no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rna

To

The Registrar of Co operative Societies,
170, Periyar EVR High Road,
Kilpauk,
Chennai - 600 010.

+1cc to Mr.H.Rajasekar, Advocate SR.No.46738
+1cc to Government Pleader SR.No.47343

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MSM(CO)
GN(18/07/2017)

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