

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10501 of 2017

and W.M.P.No.11391 of 2017

M.Selvam

... petitioner

Versus

- 1.The Government of Tamil Nadu,
Rep. By its Principal Secretary ,
Adi Dravidar and Tribal Welfare Department,
Chennai - 600 009.
- 2.The Director of Adi Dravidar Welfare,
Chennai- 600 005.
- 3.The District Adi Dravidar and Tribal Welfare Officer,
Cuddalore. ... Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the appeal dated 22.03.2017 submitted by the petitioner and forwarded by the third respondent in Letter R.C.No.W9/21172/2015 dated 27.03.2017 within a reasonable date to be fixed by this Court.

For petitioner : Mr.K.Duraisamy,
Senior Counsel for
Mr.Muthumani Doraisamy

For Respondents : Mr.M.Digvijaya Pandian,
Additional Govt. Pleader.

O R D E R

The petitioner has come to this Court seeking issuance of a writ of mandamus, directing the 1st respondent to dispose of the appeal dated 22.03.2017 submitted by him and forwarded by the third respondent in Letter R.C.No.W9/21172/2015 dated 27.03.2017.

2. The petitioner having suffered an order of punishment imposing recovery of Rs.9,64,890/- from his salary by the second respondent on 27.01.2017, filed an appeal to the first respondent on 22.03.2017, through proper channel and the same was also forwarded by the third respondent.

3. The learned counsel appearing for the petitioner submitted that as the amount of recovery is huge, the petitioner

sought for expeditious disposal of the appeal, otherwise, the petitioner would be put to extreme hardship.

4. Heard the submissions of Mr.M.Digvijaya Pandian, learned Additional Government Pleader, who takes notice on behalf of the respondents.

5. This Court, in the light of the facts and circumstances of the case, directs the first respondent to consider the pending appeal on merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. It is a well settled legal position that before disposing of the appeal, the recovery need not be proceeded. Hence, the respondents shall maintain status quo till the disposal of the appeal.

6. The writ petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed. No costs.

-s/d-

Assistant Registrar(CSII)

True Copy

Sub-Assistant Registrar

vsm
To

1.The Principal Secretary,
Government of Tamil Nadu
Adi Dravidar and Tribal Welfare Department,
Chennai - 600 009.

2.The Director of Adi Dravidar Welfare,
Chennai- 600 005.

3.The District Adi Dravidar and Tribal Welfare Officer,
Cuddalore.

+1 cc to the Government Pleader sr 25313

+1 cc to M/s.Muthumani Doraisami Advocate sr 25039

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