

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.957/2017

D.Udayan

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Petitioner

Vs

1.The Director of School Education,
College Road, Chennai-600 006.

2.The District Elementary Education Officer,
O/o. District Elementary Education Office,
Raja Veethi, Coimbatore-1.

3.The Assistant/Additional Elementary
Education Officer,
Valparai, Coimbatore District.

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Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent herein to dispose the pending appeal dated 02.08.2016, submitted by the petitioner, within the stipulated period prescribed by this Court.

For Petitioner : Mr.G.Thangavel

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner, while working as Headmaster at Panchayat Union Middle School, Solaiyar Estate, Valparai, was visited with disciplinary proceedings in the form of charge memo under Rule 17[b] of the Tamil Nadu Civil Services [Discipline and Appeal]

Rules, and the petitioner has submitted his explanation on 27.02.2013, denying all the charges and not satisfied with the same, an Enquiry Officer was appointed, who held that charges framed against the petitioner have been proved and the 2nd respondent, vide order dated 06.07.2016, imposed a punishment of stoppage of increment for a period of five years with cumulative effect and earlier to that, the petitioner was placed under prolonged suspension and challenging the same, the petitioner filed a writ petition and pursuant to the orders passed thereon, the petitioner was reinstated in service on 06.03.2013. The petitioner, challenging the legality of the punishment, preferred an appeal memorandum/petition before the 1st respondent on 02.08.2016 and since it is yet to be disposed of and that the order of punishment is also given effect to, the petitioner is constrained to approach this Court, by filing the present writ petition.

3 Heard the learned counsel for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

4 This Court, taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner's Appeal Memorandum / petition dated 02.08.2016 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

AP

To

- 1.The Director of School Education,
College Road, Chennai-600 006.
- 2.The District Elementary Education Officer,
O/o. District Elementary Education Office,
Raja Veethi,Coimbatore-1.

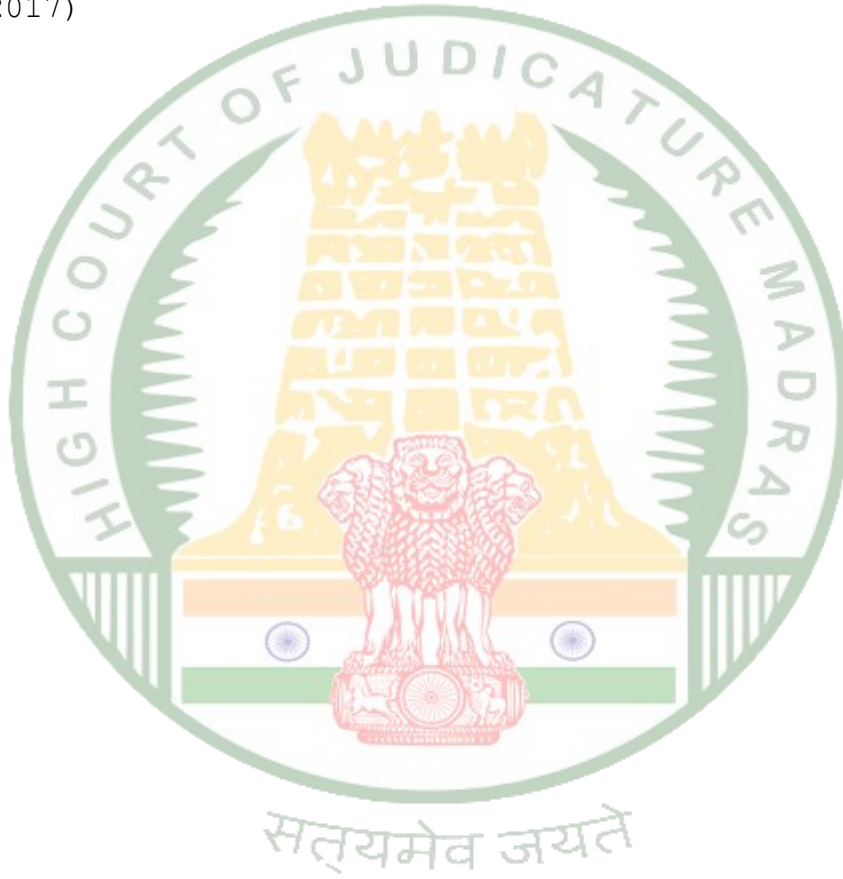
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3.The Assistant/Additional Elementary
Education Officer,
Valparai,Coimbatore District.

+1cc to Mr.G.Thangavel, Advocate Sr.No.3306
+1cc to Government Pleader Advocate Sr.No.3552

W.P.No.957/2017

RSK(CO)
GN(30/01/2017)



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