

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.5894 of 2017

P.Ponnum Perumal

Petitioner

vs.

1 The Principal Secretary to Government (FAC)
Commercial Taxes and Registration (H) Department
Government of Tamil Nadu
Fort St. George
Chennai 600 009

2 The Inspector General of Registration
O/o the Inspector General of Registration
100, Santhome High Road
Chennai 600 004

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to consider and pass orders based on the petitioner's appeal filed on 30.11.2016 against the award of punishment made against him in G.O. (2D) No.1, Commercial Taxes and Registration (H) Department dated 19.09.2016.

For petitioner : Mr.D.Veerasekaran

For respondents : Mr.N.Sakthivel, Govt. Advocate

ORDER

Mr.N.Sakthivel, learned Government Advocate, accepts notice for the respondents. With the consent of the learned counsel on either side, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been preferred seeking a writ of mandamus directing the first respondent to consider and pass orders based on the petitioner's appeal filed on 30.11.2016 challenging the award of punishment against him in G.O. (2D) No.1, Commercial Taxes and Registration (H) Department dated 19.09.2016.

3. The petitioner joined in the respondent department as Junior Assistant at Tirunelveli on 07.03.1981. On 25.01.1991, he was promoted as Assistant and posted at the Sub Registrar's Office, Cheran Mahadevi, Kalakkad. On 07.10.1996, he was further promoted as Sub-Registrar and posted at Sivagangai and other places. Finally, on 22.11.2010, he was promoted as District Registrar and posted at Namakkal and other places and presently, he is working as District Registrar at Marthandam, Kanyakumari District.

4. While so, vide the Government Order referred to above, the petitioner was inflicted with the punishment of stoppage of increment for two years with cumulative effect for his unbecoming behaviour as a Government servant, while he was working as Sub-Registrar at Ganapathy. Aggrieved by the said order, the petitioner has preferred an appeal/review before the first respondent on 30.11.2016, which is still under consideration. Inasmuch as the petitioner is inflicted with punishment by the said Government Order, he has preferred the present writ petition for the aforestated relief.

5. Given the limited scope of the relief sought by the petitioner, without going into the merits of the case, the first respondent is directed to consider and pass orders on the petitioner's review/appeal dated 30.11.2016 on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

This writ petition stands disposed of with the above direction. Costs made easy.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

cad

To

1 The Principal Secretary to Government (FAC)
Commercial Taxes and Registration (H) Department
Government of Tamil Nadu
Fort St. George
Chennai 600 009

2 The Inspector General of Registration
O/o the Inspector General of Registration
100, Santhome High Road
Chennai 600 004

+1 CC to Mr.D.Veerasekaran, Advocate Sr.No.15409

+1 CC to Government Pleader, High Court, Chennai Sr.No.15499

W.P. No.5894 of 2017

RK(CO)
VS(22.03.2017)



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