

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Petition No.21822 of 2017

B.Dhamodaran

... Petitioner

Vs.

- 1.The Secretary to the Government of Tamilnadu
Public Works Department
Fort St. George, Secretariat
Chennai - 600 009.
- 2.The Principal Chief Engineer (WRO) Department
and the Chief Engineer (General)
Public Works Department
Chepauk, Chennai - 600 005.
- 3.The Chief Engineer
Public Works Department (Buildings)
Trichy Zone
Trichy - 1.
- 4.The Superintending Engineer
Special Buildings Circle
Public Works Department
Erode.
- 5.The Executive Engineer
Public Works Department
Buildings (Construction and Maintenance) Division
Erode - 638 011.
- 6.The Executive Engineer
Public Works Department
Buildings Division II
Dindukul.

... Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the 2nd respondent to consider the appeal of the petitioner dated 15.11.2016 seeking to set aside the punishment of removal from service imposed in proceedings no.SE.SBC.Erode.8221/89/A2 dated 17.05.1993 by the 6th respondent, Executive Engineer, Public

Works Department, Buildings Division II, Dindigul, with a request to pay him pensionary benefits.

For Petitioner : Mr.R.Ramachandran

For Respondents : Mr.R.S.Selvam
Government Advocate

O R D E R

The present writ petition is filed, challenging the order of punishment of removal from service, imposed against the petitioner, in proceedings no.SE.SBC.Erode.8221/89/A2 dated 17.05.1993 by the 6th respondent - Executive Engineer, Public Works Department, Buildings Division II, Dindigul.

2. The writ petitioner was holding the post of Assistant in the office of the Executive Engineer, Public Works Department, Chennai. Due to mental illness, the writ petitioner was removed from service vide proceedings dated 17.05.1993. Against the order of removal, the writ petitioner preferred an appeal before the second respondent on 15.11.2016.

3. Though the prayer in the writ petition is large in nature, the learned counsel for the writ petitioner restricted the prayer by stating that it is suffice, if a direction is issued to the second respondent, to dispose of the appeal filed by the writ petitioner on 15.11.2016. Without going into the merits and de-merits of the case the second respondent is directed to consider the appeal submitted by the writ petitioner and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

4. Accordingly, writ petition stands disposed of. However, no order as to costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to the Government of Tamilnadu
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and the Chief Engineer (General)
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- 5.The Executive Engineer
Public Works Department
Buildings(Construction and Maintenance) Division
Erode - 638 011.
- 6.The Executive Engineer
Public Works Department
Buildings Division II
Dindukul.

+lcc to Mr.R.Ramachandran, Advocate, S.R.No.58775
+lcc to the Government Pleader, S.R.No.59998

सत्यमेव जयते

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AR J
CA(04/09/2017)

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