

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.25949 of 2017

J.Swaminathan

..Petitioner

-vs-

1. The Director of Elementary Education
DPI Campus, College Road
Chennai 600 006
2. The Joint Director of Elementary Education (Aided)
Directorate of Elementary Education
DPI Campus, College Road
Chennai 600 006
3. The District Elementary Educational Officer
Thiruvarur District
Thiruvarur
4. The Assistant Elementary Educational Officer
Nannilam Taluk
Thiruvarur District
5. Tmt.P.Barathi ..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the third respondent to pass orders on the Appeal Petition submitted by the petitioner dated 04.07.2015 in the light of the proceedings of second respondent issued in O.Mu.No.13375/H4/2016 dated 26.07.2016 and to cancel the order of punishment issued by the fifth respondent in No.Nil dated 24.06.2015 with all consequential and other attendant benefits including promotion to the post of Headmaster of Aided Elementary School, Nannilam Range, Thiruvarur District in the existing vacancy from 12.10.2007, within a time frame to be fixed by this Hon'ble Court.

For Petitioner :: Mr.G.Sankaran

For Respondents :: Mr.RAS.Senthilvel
Government Advocate for R1 to 4

ORDER

The petitioner, who was appointed as Secondary Grade Teacher in the fifth respondent School on 25.9.89, suffered a punishment of stoppage of increment for a period of two years with cumulative effect by order dated 24.6.2015 passed by the fifth respondent. As against that, an appeal has been filed before the District Elementary Educational Officer, Thiruvarur, the third respondent herein on 4.7.2015 to annul the punishment. Since no order has been passed, the petitioner has come to this Court.

2. Referring to the communication dated 12.4.2016 issued by the third respondent-District Elementary Educational Officer, Thiruvarur, the learned counsel for the petitioner impressed upon the Court that the appeal of the petitioner is pending for consideration.

3. Mr.RAS.Senthilvel, learned Government Advocate takes notice on behalf of the respondents 1 to 4.

4. Considering the limited prayer sought for by the petitioner, this Court hereby directs the District Elementary Educational Officer, Thiruvarur, the third respondent herein to consider the pending appeal filed by the petitioner dated 4.7.2015 on merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ss

To

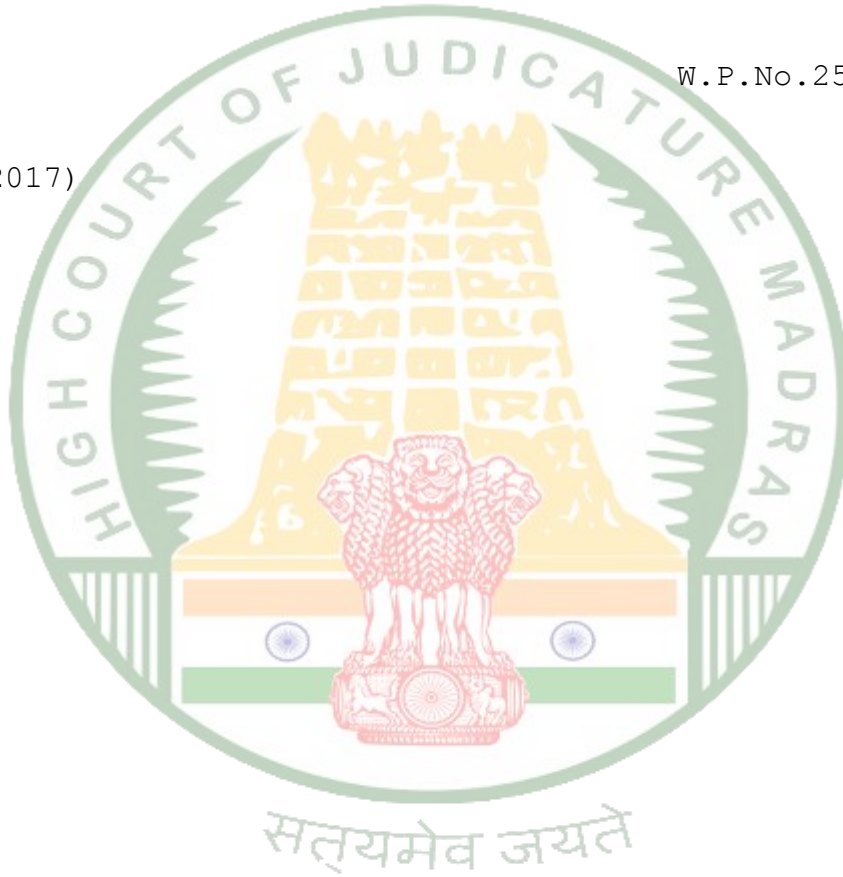
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Nannilam Taluk
Thiruvarur District.

+1cc to the Government Pleader SR. 71423
+1cc to Mr.G.Sankaran, Advocate Sr. 71434

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RSY(CO)
VR(27/10/2017)



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