

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.09.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.41863 of 2016

U.R.Dhavamani
Petitioner

..

Versus

1. The State of Tamil Nadu Rep.by its
Principal Secretary,
Co-operation, Food & Consumer
Protection Department,
Fort St. George, Chennai - 600 009.

2. The Managing Director,
Tamil Nadu Cooperative Union,
NVM Maaligai, No.170, EVR Periyar Road,
Kilpauk, Chennai-10

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to order of the second respondent made in Na.Ka.No.2766/2014/A.1 dated 07.10.2016, to quash the same and to consequently direct the respondents to reinstate the petitioner in service with all consequential benefits both service and monetary.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.L.P.Shanmugasundaram-R1
Mr.M.R.Ragavan-R2

O R D E R

The writ petition was filed to quash the order of dismissal from service dated 07.10.2016 issued by the second respondent.

2. The learned counsel appearing for the petitioner states that the petitioner was working in the cadre of Junior Training Officer and on account of certain allegations, disciplinary proceedings were initiated against the writ petitioner and after conducting domestic enquiry, an order of dismissal was issued by the second respondent in proceedings dated 07.10.2016. However, the learned counsel appearing for the petitioner states that the

writ petitioner preferred an appeal to the Board-Appellate Authority on 14.12.2016, which is yet to be considered by the board and the second respondent has to place all the files before the board for the consideration of the appeal submitted by the writ petitioner. The learned counsel has restricted the prayer by stating that the writ petitioner would be satisfied, if a direction is issued to the Board-Appellate Authority to dispose of the appeal submitted by the writ petitioner on 14.12.2016, and the writ petitioner will pursue the matter before the Appellate Authority.

3. In this view of the matter, the second respondent is directed to place the appeal submitted by the writ petitioner on 14.12.2016 before the Board- Appellate Authority and the Board is directed to consider the appeal on merits and in accordance with law and pass final orders within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

RPA/AT

To

1. The Principal Secretary,
State of Tamil Nadu,
Cooperation, Food & Consumer
Protection Department,
Fort St. George, Chennai - 600 009.
 2. The Managing Director,
Tamil Nadu Cooperative Union,
NVM Maaligai, No.170, EVR Periyar Road,
Kilpauk, Chennai-10
- +1 cc to M/s.L.Chandra kumar Advocate sr 63906
+1 cc to M/s.M.R.Raghavan Advocate sr 64003

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