



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.8915 of 2017

and

WMP(MD)No.6826 of 2017

D.Prabakar

... Petitioner

vs.

- 1)The Joint Director of Elementary Education(Admin),
O/o Directorate of Elementary Education,
D.P.I Complex, College Road,
Chennai.
- 2)The District Elementary Educational Officer,
O/o. the District Elementary Educational Office,
Pudukkottai District,
Pudukkottai.
- 3)The Assistant Elementary Educational Officer,
Avudaiyarkovil,
Pudukkottai District.
- 4)The Additional Assistant Elementary Educational Officer,
Avudaiyarkovil,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent to pass orders on the appeal preferred by the petitioner dated 10.01.2014 against the order of punishment dated ---.12.2013 (signed on 08.01.2014) passed by the 2nd Respondent within the time limit that may be stipulated by this Hon'ble Court, till then, the panel for promotion to the post of Middle School Headmaster in Avudaiyarkovil Panchayat Union, Pudukkottai District for the year 2017 should not be effected.

For Petitioner

: Mr.G.Thalaimutharasu

For Respondents

: Mr.S.Chandrasekar
Government Advocate

O R D E R

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st Respondent to pass orders on the appeal preferred by the petitioner dated 10.01.2014 against the order of punishment dated ---.12.2013 (signed on 08.01.2014) passed by the 2nd respondent within a time limit that may be stipulated by this Court, till then, the panel for promotion to the post of Middle School Headmaster in Avudaiyarkovil Panchayat Union, Pudukkottai District for the year 2017 should not be effected.

2. For the charge under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, the petitioner was inflicted with the punishment of stoppage of increment for three years vide order dated ---.12.2013 (signed on 08.01.2014) passed by the 2nd respondent. Against the said order, the petitioner preferred appeal to the 1st respondent on 10.01.2014 and the same is pending till date. Hence, this writ petition.

3. According to the petitioner, the punishment of stoppage of increment for three years imposed by the 2nd respondent in the month of December 2013 (signed on 08.01.2014) itself has come to an end in January 2016 and therefore, the 1st respondent may be directed to dispose of the appeal expeditiously.

4. Considering the submissions made by the petitioner, the 1st respondent is directed to consider the appeal dated 10.01.2014 preferred by the petitioner and dispose of the same in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(VACATION OFFICER)

/TRUE COPY/

Sub Assistant Registrar

nbi
To

1) The Joint Director of Elementary Education (Admin),
O/o Directorate of Elementary Education,
D.P.I Complex, College Road, Chennai.

2) The District Elementary Educational Officer,
O/o the District Elementary Educational Office,
Pudukkottai District,
Pudukkottai.



3) The Assistant Elementary Educational Officer,
Avudaiyarkovil,
Pudukkottai District.

4) The Additional Assistant Elementary Educational Officer,
Avudaiyarkovil,
Pudukkottai District.

+1 cc to MR.G.Thalaimutharasu, ADVOCATE, SR NO: 56245

+1 CC to M/S.SPL.GOV.T.PLEADER, SR NO:56454

JAM/12.05.17/SV/SAR 4/ 3p-7c

W.P(MD)No.8915 of 2017
10.05.17