

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.22060 of 2009

ORDER:

Heard Sri SA.Razack for petitioner and the Assistant Government Pleaders for Panchayat Raj and Irrigation.

The petitioner prays for Mandamus declaring the action of respondents in not allowing the petitioner to attend his duties without an order or proceeding, as illegal, arbitrary and unconstitutional.

On 30.03.2009, the 4th respondent issued show-cause notice to the petitioner on a few charges, which have come to the notice of the 4th respondent warranting disciplinary action against the petitioner. The petitioner, admittedly, did not give reply within the time stipulated by the 4th respondent. However, it is not in dispute that the 4th respondent did not pass orders on the show-cause notice dated 30.03.2009. While the matter stood thus, the respondents prevented the petitioner from discharging duties. Hence, the writ petition.

On 20.10.2009, basing on the instructions received by the learned Government Pleader, the following interim order was passed.

“The learned G.P. under instructions stated that no order has been passed as on today, pursuant to the show-cause notice, dt.30-03-2009.

Hence, there shall be interim direction as prayed for.”

The interim order is subsisting as on date. The petitioner filed representation on 17.08.2009.

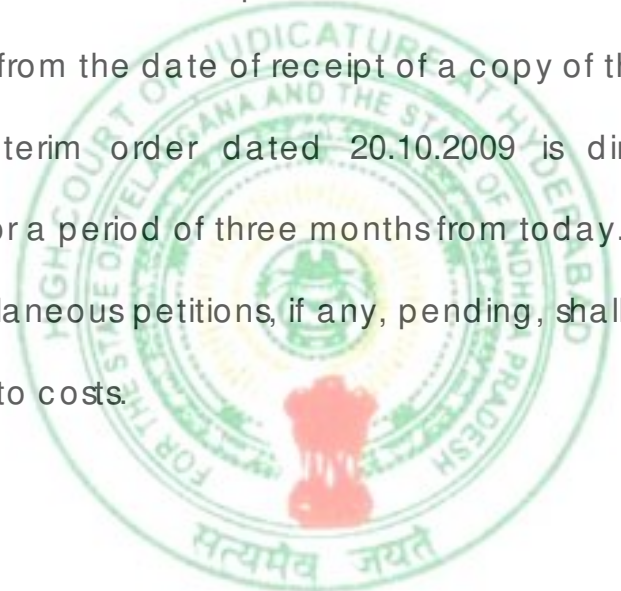
Learned counsel appearing for parties submitted that the representation can be directed to be considered and disposed of within reasonable time.

The statement is placed on record.

The writ petition is disposed of by directing the 4th respondent to consider and pass orders on the show-cause notice and also on the representation dated 17.08.2009 within two months from the date of receipt of a copy of this order.

The interim order dated 20.10.2009 is directed to be continued for a period of three months from today.

Miscellaneous petitions, if any, pending, shall stand closed.
No order as to costs.



S. V. BHATT, J

Dt: 02-08-2009
Prv

THE HON'BLE SRI JUSTICE S.V.BHATT



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02-08-2017

Prv

