

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.02.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.3859 of 2018

R.Vigneswaran

...Petitioner

Versus

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-3.

2. The Regional Deputy Commissioner (South),
Regional Office,
Greater Chennai Corporation,
Adyar, Chennai-20.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to pass orders on the Statutory Appeal preferred by the petitioner dated 13.11.2017 against the final orders passed by the 2nd respondent in his Ref.RO (South) Na.Ka.No.A2/6751/16 dated 18.9.2017 within a reasonable time.

For Petitioner : Mr.T.Ayngaraprabhu
For Respondents : Mr.R.Arunmozhi,
Standing Counsel

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to pass orders on the Statutory Appeal preferred by the petitioner dated 13.11.2017 against the final orders passed by the 2nd respondent in his Ref.RO (South) Na.Ka.No.A2/6751/16 dated 18.9.2017 within a reasonable time.

2. The case of the petitioner is that while he was working as Sanitary Inspector in Chennai Corporation in Zone XV, Division 196 during the year 2013, he was issued with a Charge Memo under Rule 9(2) of Chennai Corporation Employees Grade III and IV (Discipline and Appeal) Rules, 1993 on 9.1.2017. Earlier, he was suspended from service by a Proceedings dated 10.9.2016. The petitioner denied the charges and gave his explanation. Thereafter, an Enquiry Officer was appointed and

after completion of the enquiry, he was found guilty of the charges and finally, the Disciplinary Authority by a Proceedings dated 18.9.2017 agreed with the findings of the Enquiry Officer's Report holding that the charges against the petitioner has been proved and for the proven charges imposed a punishment of stoppage of increment with cumulative effect for a period of two years w.e.f. 18.9.2017. As against the same, the petitioner preferred a Statutory Appeal on 13.11.2017 before the 1st respondent and the same is pending for consideration.

3. Mr.R.Arunmozhi, learned Standing Counsel, who takes notice for the respondents 1 and 2, sought for eight weeks time to dispose of the pending appeal.

4. In view of the limited prayer made in the Writ Petition and also taking into account the submission of the learned Standing Counsel for the respondents, this Court directs the 1st respondent to dispose of the Statutory Appeal preferred by the petitioner dated 13.11.2017 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this Order. No costs.

5. The Writ Petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-3.
2. The Regional Deputy Commissioner (South),
Regional Office,
Greater Chennai Corporation,
Adyar, Chennai-20.

+1cc to Mr.M.MUTHAPPAN, Advocate, S.R.No. 13457

W.P.No.3859 of 2018

MP (CO)
TR(14/03/2018)