

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2018

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.870 of 2018

M.Selvaraj

.. Petitioner

-vs-

1. The Commissioner of Agricultural Production
Agricultural Department
Government of Tamil Nadu
Fort St.George
Chennai 600 009
 2. The Director of Agriculture
Agricultural Sale and Commercial Department
Guindy
Chennai 600 032
 3. The Secretary
Villupuram Agricultural Sale Department
Villupuram 605 602
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to dispose the appeal dated 7.1.2016 which is pending on the file of the first respondent and by considering the petitioner's representation dated 11.8.2017.

For Petitioner :: Mr.C.Muruganandam

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

This writ petition has been filed seeking a mandamus to the first respondent to dispose the petitioner's appeal dated 7.1.2016 on merits and in accordance with law.

2. The petitioner is serving as Junior Assistant. During the time he was discharging his duties as Assistant cum Cashier under the supervision of Mr.E.Pandithurai, Superintendent of Chengae Agricultural Market Committee and the Manager, is said

to have misappropriated a sum of Rs.23,355/-. On this count, a vigilance enquiry was conducted, which resulted in the initiation of departmental proceedings under Rule 17(b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules against the petitioner, the Superintendent and the Manager. Finally, they were imposed with the punishment of stoppage of increment for two years with cumulative effect by order dated 18.11.2015. Aggrieved by the same, a statutory appeal has been filed on 7.1.2016. But till date, the said appeal has not been disposed of. Therefore, the petitioner has given a representation on 11.8.2017 to consider the pending appeal on merits.

3. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, taking notice on behalf of the respondents, sought for sufficient time.

4. Placing on record his prayer for granting sufficient time, this Court hereby directs the first respondent to consider the pending statutory appeal on merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Agricultural Production
Agricultural Department
Fort St.George, Chennai 600 009
2. The Director of Agriculture
Agricultural Sale and Commercial Department
Guindy, Chennai 600 032
3. The Secretary
Villupuram Agricultural Sale Department
Villupuram 605 602

+1cc to Mr.C.MURUGANANDAM, Advocate, S.R.No. 3483
+1cc to the Government Pleader, S.R.No. 3322

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KAN(CO)
TR(07/02/2018)