

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.2904 of 2018 and
WMP.No.3573 of 2018

D.Palaniappan

.. Petitioner

Vs

1. The General Manager, OB/Mine-1,
Neyveli Lignite Corporation India Ltd.,
Neyveli-3,
Cuddalore District.

2. Deputy General Manager/NSB/Mine-1,
(DISCIPLINARY AUTHORITY)
Neyveli Lignite Corporation India Ltd.,
Neyveli-3,
Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the first respondent to hear the Appeal dated 27.10.2017 and 13.11.2017 by providing personal hearing and pass final order against the order of dismissal on 13.10.2017 passed by the second respondent herein to secure the ends of justice.

For Petitioner : Mr.R.Sankarasinni
For Respondents : Mr.S.Nithyanandam

O R D E R

This Writ Petition has been filed seeking direction to the first respondent to hear the Appeal dated 27.10.2017 and 13.11.2017 by providing personal hearing and pass final order against the order of dismissal on 13.10.2017 passed by the second respondent herein.

2. The case of the petitioner is that the petitioner was dismissed from service by the proceedings of the second respondent dated 13.10.2017, against which the petitioner has filed a appeal before the first respondent on 27.10.2017. Since, no response was forthcoming from the first respondent, the petitioner sent a remainder to the first respondent on 13.11.2017, seeking early hearing of the appeal. But, till date there is no response from the first respondent on the said appeal. Hence, the petitioner has approached this Court seeking

for the aforesaid relief.

3. Heard the learned counsel for the petitioner as well as the learned counsel who accepts notice on behalf of the respondents.

4. The learned counsel for the petitioner would submit that the first respondent may be directed to consider the appeal filed by the petitioner on 27.10.2017, by giving an opportunity of personal hearing to the petitioner.

5. The learned counsel who accepts notice on behalf of the respondents would submit that the appellate authority has already considered the appeal filed by the petitioner and a speaking order would be passed in a day or two.

6. Considering the submissions made by the learned counsel for the respondents, this Court directs the first respondent to pass orders on the appeal filed by the petitioner dated 27.10.2017 and 13.11.2017, within a period of two weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

arr

To

1. The General Manager, OB/Mine-1,
Neyveli Lignite Corporation India Ltd.,
Neyveli-3,
Cuddalore District.

2. Deputy General Manager/NSB/Mine-1,
(DISCIPLINARY AUTHORITY)
Neyveli Lignite Corporation India Ltd.,
Neyveli-3,
Cuddalore District.

+1cc to Mr.N.Nithianandam, Advocate, S.R.No.10399

+1cc to Mr.R.Sankara Subbu, Advocate, S.R.No.10336

W.P.No.2904 of 2018 and
WMP.No.3573 of 2018

RRK(13/03/2018)