

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.07.2018
Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No. 17827 of 2018

Mr. M. Mohandoss Manikaraj

...Petitioner

Vs.

1. The Director,
Institute of Road Transport, Taramani,
Chennai - 600 113.

2. The Dean,
Institute of Road Transport Perundurai Medical College,
Perundurai, Erode District, Tamil Nadu - 638 053.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondent No. 1 to decide on petitioners appeal as Dt. 22-11-2017 submitted by petitioners under THE TAMIL NADU CIVIL SERVICES (DISCIPLINE AND APPEAL) RULES 1953 within the stipulated time.

For Petitioner : Mr.S.Saravanan

For Respondent-1 : Mr.V.Kadhirvelu
Special Government Pleader

O R D E R

Heard Mr.S.Saravanan, the learned counsel appearing for the petitioner and Mr.V.Kadhirvelu, the learned Special Government Pleader, who accepts notice on behalf of the first respondent. Considering the nature of order that is to be passed herein, notice to the second respondent is dispensed with.

2. The grievance of the petitioner, in this case is that, after being found guilty in a charge, the petitioner had preferred an Appeal under the Tamil Nadu Civil Services (Discipline and Appeal) Rules 1953 before the first respondent, dated 22.11.2017, but the first respondent has not disposed of the same yet. Hence, this Writ Petition has been filed seeking a direction to the first respondent to dispose of such Appeal within a stipulated period.

3. Considering the limited grievance of the petitioner, especially, the fact that the prayer sought for by the petitioner is for a direction to dispose of the Appeal at an earlier point of time, this Court is of the view that no useful purpose would be served by seeking a counter affidavit from the respondents before the disposal of the Writ Petition. Accordingly, after hearing the learned counsel for the parties, and without going into the merits of the case projected by the petitioner, in the Appeal, this Court disposes of the Writ Petition with a direction to the first respondent to dispose of the petitioner's Appeal preferred against the punishment imposed holding him guilty of the charge and also the penalty imposed thereunder, within a period of six weeks from the date of receipt of a copy of this order, if there is no other legal impediments and communicate the decision taken to the petitioner. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Director,
Institute of Road Transport, Taramani,
Chennai - 600 113.

2. The Dean,
Institute of Road Transport Perundurai Medical College,
Perundurai, Erode District, Tamil Nadu - 638 053.

+1cc to Mr.S.SARAVANAN, Advocate, S.R.No. 46351

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TR(13/08/2018)

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