

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 22.11.2018

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NO.30718 OF 2018

M.Kanagavalli

.. Petitioner

- Vs -

1. The Secretary to Government  
Home (Transport) Dept.  
fort St. George, Chennai - 9.

2. The Transport Commissioner  
Chepauk, Chennai - 5.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to pass orders on the statutory appeal preferred by the petitioner dated 23.7.18 to the 1<sup>st</sup> respondent within a reasonable time.

For Petitioner : Mr. M.Muthappan

For Respondents: Mr. A.N.Thambidurai, AGP

ORDER

The petitioner entered the service of the Transport Department through direct recruitment as Motor Vehicle Inspector, Grade-II, through selection conducted by the Tamil Nadu Public Service Commission on 30.5.09. Thereafter, in August, 2013, the petitioner was promoted as Grade-I Inspector. A charge memo dated 8.10.15 was issued to the petitioner on 12.3.16 for which the petitioner submitted detailed explanation along with documentary evidence. After a lapse of 2 years and 2 months when there was no action, on 23.5.18, the charges against the petitioner were held proved and the petitioner has been slapped with punishment of stoppage of increment for a period of one year without cumulative effect. On receipt of a copy of the order on 29.5.18, the petitioner preferred statutory appeal to the 1<sup>st</sup> respondent on 23.7.18. However, no orders have been passed by the 1<sup>st</sup> respondent till date. Therefore, the petitioner has come before this Court by filing the present writ petition.

2. Mr. A.N.Thambidurai, learned Addl. Government Pleader takes notice for the respondents.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the statutory appeal filed by the petitioner on 23.7.18 and pass orders on the same within a particular time frame.

5. In the above circumstances, this writ petition is disposed of directing the 1<sup>st</sup> respondent to consider the statutory appeal dated 23.7.18, filed by the petitioner and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

GLN

1.The Secretary to Government  
Home (Transport) Dept.  
fort St. George, Chennai - 9.

2.The Transport Commissioner  
Chepauk, Chennai - 5.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.79976  
+1cc to the Government Pleader, S.R.No.80493

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CNR(CO)

rrs 14/11/2018

सत्यमेव जयते

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