

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 29.06.2018****CORAM:****THE HONOURABLE MR. JUSTICE R. SURESH KUMAR****W. P. (MD) No. 13957 of 2018****WEB COPY**

M. Malarkandan

... Petitioner

-Vs-

1. The Principal Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai-600 009.

2. The Principal chief Conservator of Forest,
Head of Forest Force,
Panagal Maaligai Saidapet,
Chennai-600 015.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to dispose of the appeal dated 30.06.2016 preferred by the petitioner against the Proceeding No. BB1/31633/2015 dated 13.05.2016 within a stipulated time period fixed by this Court.

For Petitioner	: Mr. P. Karthick
For Respondents	: Mrs. S. Srimathy, Special Government Pleader.

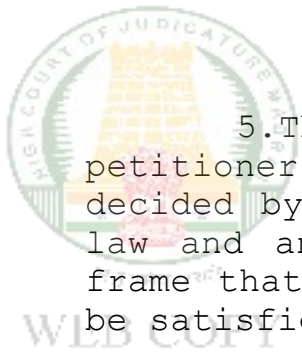
ORDER

The prayer sought for herein is for a Writ of Mandamus, directing the first respondent to dispose of the appeal dated 30.06.2016 preferred by the petitioner against the proceeding No. BB1/31633/2015 dated 13.05.2016 within a stipulated time period fixed by this Court.

2. Heard Mr. P. Karthick, learned counsel appearing for the petitioner and Mrs. S. Srimathy, learned Special Government Pleader, who takes notice on behalf of the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner is a Forester against whom disciplinary proceedings was initiated, with a result the second respondent being the disciplinary authority has imposed a punishment of withholding the increment of the petitioner for one year without cumulative effect, by order dated 13.05.2016. As against the said order, the petitioner preferred an appeal to the appellate authority i.e., the first respondent on 30.06.2016. However, the said appeal, so far, has not been disposed of and the same is still pending with the first respondent.



5. Therefore, the learned counsel appearing for the petitioner would submit that if the said appeal is directed to be decided by the first respondent on merits and in accordance with law and an order to that effect would be passed within a time frame that may be stipulated by this Court, the petitioner would be satisfied.

6. I have heard the learned Special Government Pleader, who would submit that, the said appeal, preferred by the petitioner dated 30.06.2016 as against the order of punishment awarded against him by the second respondent vide his proceedings dated 13.05.2016, would be considered on merits and in accordance with law and decided within a time frame stipulated by this Court.

7. Considering the said submissions made by both sides and also taking into account the limited scope of the prayer, this Court is inclined to pass the following order:-

"the first respondent is directed to decide and pass orders on the appeal dated 30.06.2016 filed by the petitioner against the punishment awarded against him by the second respondent vide his proceedings dated 13.05.2016, within a period of ten weeks from the date of receipt of a copy of this order."

8. With this direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai-600 009.
2. The Principal chief Conservator of Forest,
Head of Forest Force,
Panagal Maaligai Saidapet,
Chennai-600 015.

+1cc to The Spl. Government Pleader Sr.No.70828
+1cc to Mr.P.Karthick, Advocate Sr.No.70538

MYR
VB/SB/SAR2/10.07.2018/2P/5C