

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2019

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.No.1149 of 2019

S.Balakrishnan

....Petitioner

Vs

1.The Appellate Authority,
TWAD Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

2.The Managing Director,
TWAD Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

3.The Enquiry Officer/The Superintending Engineer,
TWAD Board,
Trichy-Perambalur Circle,
Tiruchy.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the first respondent to dispose of the appeal filed by the petitioner dated 11.09.2017 filed under Section 14 of the TWAD Board Employees (Discipline and Appeal) Regulations, 1972 within the time stipulated by this Court.

For Petitioner : Mr.M.Raja Sekhar

सत्यमेव जयते
O R D E R

The prayer sought for in this writ petition is to direct the first respondent to dispose of the appeal dated 11.09.2017 filed by the petitioner under Section 14 of the TWAD Board Employees (Discipline and Appeal) Regulations, 1972, within a time frame to be stipulated by this Court.

2. According to the petitioner, he worked as an Executive Engineer of Sewerage Division, Ariyalur for a short period i.e. from 13.07.2012 to 31.07.2013. While so, the second respondent initiated disciplinary proceedings against the petitioner, raising certain allegation. After due enquiry, the second respondent passed an order dated 25.07.2017, awarding punishment

of forfeiture of the entire Death cum Retirement Gratuity (DCRG) payable to the petitioner and also to recover a sum of Rs.5,000/- from the petitioner's pension for a period of five years. Aggrieved over the same, the petitioner preferred an appeal dated 11.09.2017 before the first respondent and the said appeal is pending without any progress. Hence, the present writ petition.

3. Heard the learned counsel for the petitioner and also perused the materials available on record.

4. Considering the limited nature of the relief sought for herein, this Court without issuing formal notice to the respondents, disposes of this writ petition, directing the first respondent to dispose of the appeal dated 11.09.2017 filed by the petitioner and pass appropriate orders, on merits accordance with law, after affording due opportunity of personal hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

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To

1.The Appellate Authority,
TWAD Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

2.The Managing Director,
TWAD Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

3.The Enquiry Officer/The Superintending Engineer,
TWAD Board,
Trichy-Perambalur Circle,
Tirchy.

+1 CC to M/s.M.Rajasekar, Advocate sr 4396.

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AK(CO)
SP(06/03/2019)