

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 22.10.2019

CORAM :

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.3533 of 2013

V.Sridharan

... Petitioner

Vs

1.The State of Tamil Nadu,
Represented by
The Secretary to Government,
Commercial Taxes Department,
Fort St.George, Chennai-9.

2.The Joint Commissioner of Commercial Taxes,
(Enforcement), Vellore Division,
Commercial Taxes Buildings,
Vellore - 632 001.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order in Ref.No.Na.Ka.A2/1881/2012 dated 25.09.2012 passed by the 2nd respondent and quash the same as it is arbitrary, illegal and further direct the respondents to provide all the consequential benefits thereto.

For Petitioner : Mr.T.Arockia Dass

For Respondents : Mr.M.Hariharan,

Additional Government Pleader(T)

O R D E R

The instant writ petition has been directed against the order dated 25.09.2012 passed by the 2nd respondent imposing the punishment of reduction of Increment by one stage in the time scale of pay as on 01.04.2012.

2.Rule 19(a) of the Tamil Nadu Civil Services(Discipline & Appeal) Rules provides for an appeal remedy. The appeal remedy has not been exhausted.

3.The petitioner is at liberty to file an appeal against the order dated 25.09.2012 before the competent Appellate Authority.

4.The Appellate Authority is directed to bear in mind that the petitioner has immediately filed the present writ petition after the impugned order was passed and the writ petition is pending in this Court for the last six years. The appeal be filed by the petitioner within a period of four weeks from the date of receipt of a copy of this order. The Appellate Authority is directed to dispose of the appeal within a period of 16 weeks from the date of receipt of the appeal from the petitioner.

5.The writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Commercial Taxes Department,
Fort St.George, Chennai-9.
- 2.The Joint Commissioner of Commercial Taxes,
(Enforcement), Vellore Division,
Commercial Taxes Buildings,
Vellore - 632 001.

+1 cc to M/s.Dass & Viswa, Advocate Sr.No. 88187

+1 cc to The Special Government Pleader(Taxes) Sr.No. 88556

AKM/09.12.19/2P-5C /

सत्यमेव जयते

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