

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18357 of 2019
and W.M.P.No.27932 of 2019

P.Vijaya Kumar,
Assistant,
Office of the Regional Deputy Director of
Tamil Nadu Khadi & Village Industries Board,
Madurai - 625 016. ...Petitioner

vs.

Tamil Nadu Khadi & Village Industries Board,
represented by the Chief Executive Officer,
Kuralagam, Chennai - 600 108. ...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Mandamus, to direct the respondent to dispose of the petitioner's representation dated 15.05.2019 on merits and as per rules within a reasonable time frame.

For Petitioner : Mr.A.L.Namasivayam

For Respondent : Mr.S.K.Bose

ORDER

The Writ Petition has been filed by the petitioner seeking direction to direct the respondent to dispose of the petitioner's representation dated 15.05.2019 on merits and as per rules within a reasonable time frame.

2.The case of the petitioner is that the petitioner is working as Assistant in the Office of the Regional Deputy Manager, Khadi and Village Industries Board, Madurai and there was no charge and disciplinary proceedings pending against him. While he was working as Assistant in Tirupur, at the instigation of his colleagues, a criminal case was registered against the petitioner that he was drunken, shouted in filthy languages and hurdle to traffic to the public place, the case was registered under Section 294 (B) of IPC, before the learned Judicial Magistrate, Tirupur in C.C.No.2792 of 2003, the petitioner entered acquittal on 17.07.2004. Thereafter, disciplinary proceedings initiated against the petitioner was

dismissed from the service. The petitioner preferred an appeal before the Appellate Authority. The Appellate Authority by its order dated 11.06.2008, modified the punishment of dismissal from service into stoppage of increment for 2 years without cumulative effect. After completed the punishment, the petitioner made a representation to the respondent, till date the representation was not considered. Hence, the petitioner filed a Writ Petition before this Court.

3.The learned counsel appearing for the petitioner would submit that it would suffice if this Court issues direction to the respondent to consider the representation dated 15.05.2019 submitted by the petitioner and to dispose of the same within a reasonable time as fixed by this Court.

4.Without going into the merits of the case, I am inclined to issue direction to direct the respondent to consider the representation dated 15.05.2019 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

pam

To

The Chief Executive Officer,
Tamil Nadu Khadi & Village Industries Board,
Kuralagam, Chennai - 600 108.

+2cc to Mr.A.L.Namasivayam, Advocate SR.87462

NMI (CO)
CB(29/11/2019)

W.P.No.18357 of 2019

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