

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2019

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.27906 of 2014

and M.P.No.1 of 2014

Mrs.V.Vijayalakshmi

.. Petitioner

Vs.

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The District Collector,
Dharmapuri District.
Dharmapuri.
3. The Revenue Divisional Officer,
Harur Taluk, Dharmapuri District,
Dharmapuri.

... Respondents

Prayer : writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the impugned proceedings Na.Ka.No.28891/12/A2 dated 10.10.2014 passed by the 2nd respondent and quash the same.

For Petitioner : Mr. C.Umashankar

For Respondents : Mrs. K.Bhuvaneswari

Additional Government Pleader

सत्यमेव जयते
ORDER

This writ petition has been filed challenging the impugned order passed by the respondent, wherein the petitioner was revised to the post of Deputy Thasildar for the period of three years(reduction for lower rank).

2. In the aforesaid impugned order, it was specifically stated that if the petitioner is aggrieved, he can file an appeal before the Additional Chief Secretary/Revenue Administration Commissioner within a period of 60 days from the date of receipt of the impugned order.

3. The learned counsel for the petitioner argued the matter on merits by stating that there is no material for coming to the conclusion to award the punishment to the writ petitioner by reduction of lower rank and the same is illegal.

4. I am of the view that only after verifying the records, it could be ascertained whether the punishment imposed on the petitioner is correct or not. But, this is not inclined to do so, since there is a appeal remedy available under the provisions of the Act to the petitioner. Therefore, the writ petition is not maintainable.

5. The writ petitioner is at liberty to prefer an appeal before the Appellate Authority within a period of four(4) weeks from the date of receipt of a copy this order. If any such appeal is filed, the Appellate Authority shall take into consideration the pendency of writ petition before this Court, by excluding the above said period of delay in filing the appeal and pass appropriate orders as expeditiously as possible. Registry is directed to return the original impugned order filed along with this writ petition to the petitioner.

With the above observations, the writ petition stands disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

mp
To

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.

2. The District Collector,
Dharmapuri District.
Dharmapuri.

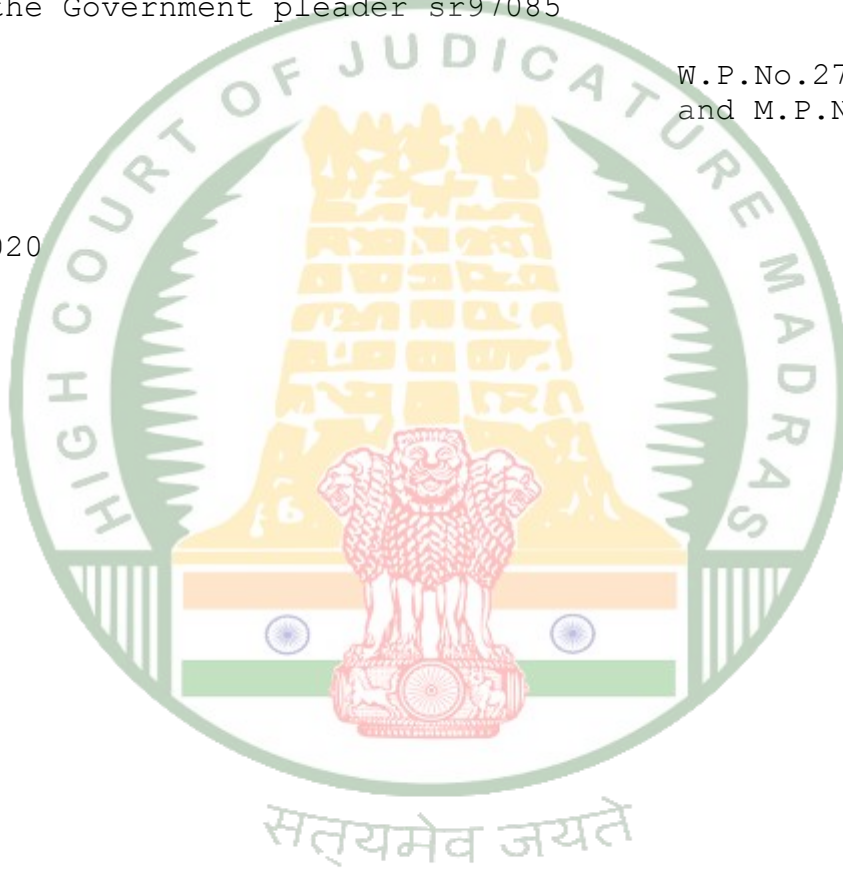
3.The Revenue Divisional officer
Harur Taluk, Dharmapuri District
Dharmapuri

copy to
The section Officer
ER Section (Writ)
High Court, Madras

+1 cc to M/s.C.Umashankar Advocate sr96661
+1 cc to the Government pleader sr97085

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