

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.07.2019

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.22136 of 2019

A.Jesudasan

... Petitioner

Vs.

1. The Director of Animal Husbandry,
Animal Husbandry and Veterinary Services,
Saidapet, Chennai - 600 006.

2. The Regional Joint Director,
Animal Husbandry Department,
Villupuram.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pass final orders on the appeal memorandum of the petitioner dated 19.06.2019, acknowledged on 21.06.2019 on merits and as per law within a stipulated period of time.

For Petitioner : Mr.K.C.Vinodh

For Respondents : Mr.K.K.Ramesh
Government Advocate

ORDER

This Writ Petition has been filed seeking for a direction to the first respondent to pass final orders on the appeal memorandum of the petitioner dated 19.06.2019, acknowledged on 21.06.2019, on merits and as per law within a stipulated period of time.

2. The case of the petitioner is that he was initially appointed as Flock Man through Employment Exchange on 01.04.1987 and his job was confirmed on completion of the requisite period of service. In the meanwhile, he appeared for the 10th standard examination during 1987 and entered in the service register. Based on the qualification of a pass in 10th standard, he was promoted as Veterinary Inspector Grade-II on 11.07.2009. While he was working in the said post, a departmental proceedings were

initiated against him on 16.12.2016 under Rule 17(b) on the allegation that he had produced a bogus school educational qualification of 10th standard, and he was placed under suspension on 28.12.2017. Thereafter, a charge memo was issued on 03.01.2018 and an enquiry was conducted by the Enquiry Officer. Pursuant to which, he was dismissed from service by the second respondent by proceedings in Na.Ka.No.1665/A2/2016 dated 27.05.2019. As against the said order, he preferred an appeal dated 19.06.2019 before the first respondent to set aside the punishment of removal from service passed by the second respondent on the ground that his initial entry into service to the post of Flock Man was through Employment Exchange and the same is not in dispute. The said appeal has not been considered and disposed of by the first respondent till date, and therefore, he has filed this petition before this Court.

3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

4. In view of the limited prayer sought for in this Writ Petition, there shall be a direction to the first respondent to dispose of the petitioner's appeal memorandum dated 19.06.2019 if the same is pending, within a period of two months from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

raja

To

1. The Director of Animal Husbandry,
Animal Husbandry and Veterinary Services,
Saidapet, Chennai - 600 006.
2. The Regional Joint Director,
Animal Husbandry Department, Villupuram.

+1 cc to M/S.L.Chandrakumar, Advocate, S.R.No.65142

W.P.No.22136 of 2019

vsn-ii (CO)
SSM(10/09/2019)