

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.11.2019

CORAM

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.31818 of 2019

1 S.Kathiresan ... Petitioner

Vs

- 1 State of Tamilnadu
Rep by its Secretary Department
of Consumer Protection and Civil Supply
Fort St. George, Chennai 9
- 2 The Managing Director
Tamil Nadu Civil Supplies
Corporation Ltd
No.12 Thambu Samy Road
Kilpauk Chennai 10
- 3 The Senior Regional Manager
Tamil Nadu Civil Supplies Corporation Ltd
Chennai North Region
Gopalapuram Chennai 86 ... 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 consider and pass orders on the representation of the petitioner dated 29.4.2019 within a time frame fixed by this Court.

For Petitioner : Mr.M.Ramamoorthi

For Respondents : Mr.L.P.Shanmugasundaram, Spl.G.P.

ORDER

1. This writ petition has been filed by the petitioner, praying for issuance of a Writ of Mandamus, to direct the first respondent to consider and pass orders on the representation of the petitioner dated 29.4.2019 within a time frame fixed by this Court.
2. The case of the petitioner is that the petitioner was engaged as a bill Clerk at CRS, John Rover Street (GA 053) Kaladipet Area and while he was working as such, he was suspended from service on 01.04.2014 and thereafter disciplinary proceedings were initiated by issuing a charge memo dated 13.05.2004 arising that he was involved illegal sale of rice. Thereafter, after completion of the enquiry by proceedings dated 20.06.2014, the petitioner was exonerated from all the charges and thereafter he was reinstated in service by the 3rd respondent on 14.08.2014. However, by proceedings dated 10.07.2015 the petitioner was imposed with the punishment of three months increment cut with cumulative effect though exonerated from the charges leveled against him. Aggrieved by the same he preferred an appeal to the second respondent/ Managing Director of the Tamil Nadu Civil Supplies Corporation which came to be rejected by proceedings dated 04.10.2016. Ventilating his grievance that though he has exonerated from charges, he was unnecessarily punished, hence the petitioner made a representation to the first respondent on 29.04.2019 to take

necessary action, despite his representation, the petitioner is before this Court.

3. The learned counsel appearing for the petitioner would submit that though the petitioner was exonerated he was imposed with punishment of three months increments cut with cumulative effect and consequently appeal was also rejected by the second respondent and explaining all these aspects, the petitioner made a representation to the first respondent for necessary action, the respondent has not considered the same. Therefore, the learned counsel would implore this Court that it would suffice to directed the first respondent to consider the representation of the petitioner and dispose of the same.
4. The learned Special Government Pleader appearing for the respondents conceded to the request as submitted by the learned counsel appearing for the petitioner. The learned counsel would submit that if this Court directs the respondents to consider the dispose of the representation made by the petitioner, the same would be complied with and the representation would be disposed of in accordance with law.
5. Considering the facts and circumstance of the case and the submissions made by the learned counsel for the petitioner and since the representation made by the petitioner has been pending, this

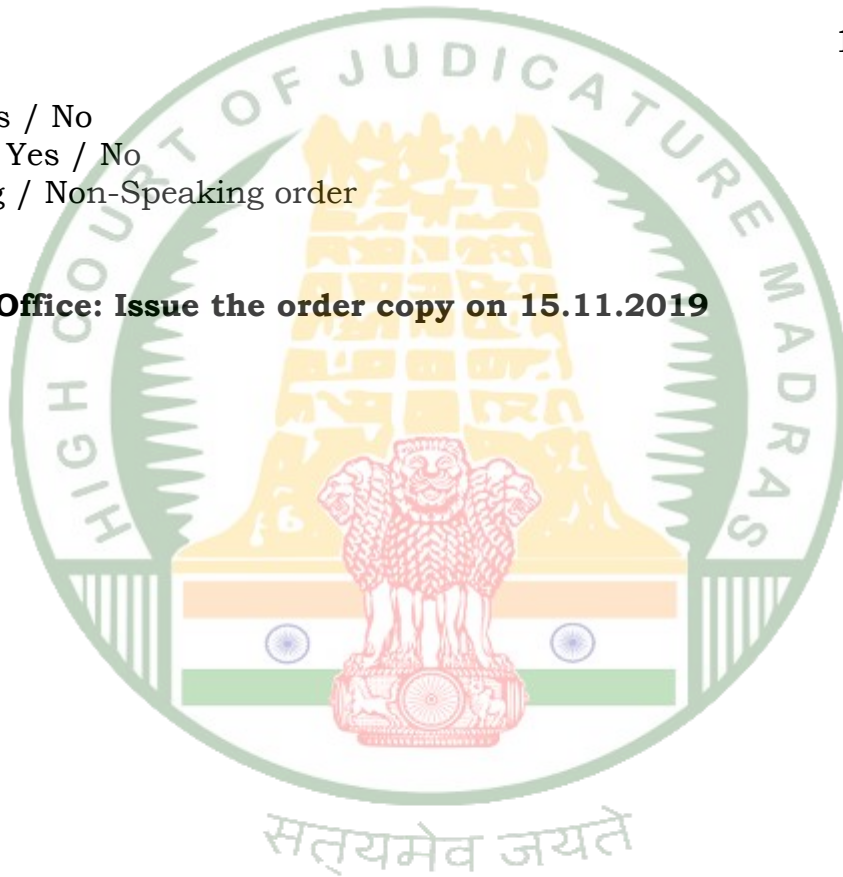
Court directs the respondents to dispose of the Writ Petitioner's representation dated 29.04.2019, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

12.11.2019

Index:Yes / No
Internet: Yes / No
Speaking / Non-Speaking order
jrs

Note to Office: Issue the order copy on 15.11.2019



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To

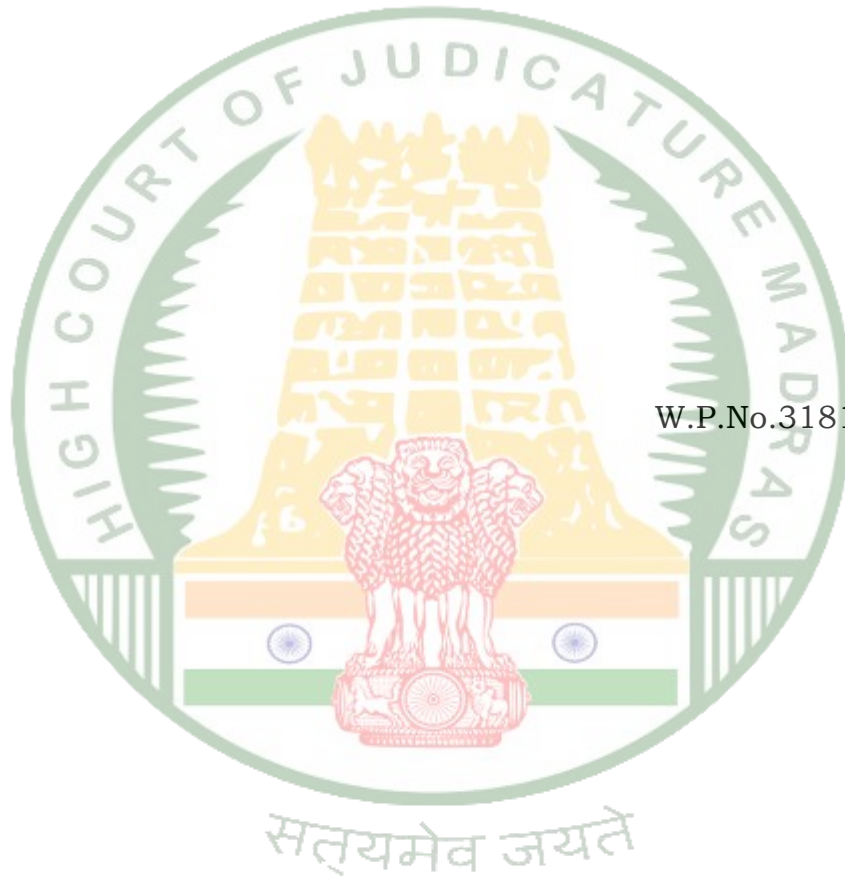
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M.DHANDAPANI.J,

jrs



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06.11.2019