



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.5403 of 2019

R.Balasubramanian

... Petitioner

vs.

1.The State of Tamil Nadu
rep.by its Principal Secretary,
Home (Police-5) Department,
Secretariat, Chennai - 9.

2.The Director General of Police,
Mylapore,
Chennai - 4.

3.The Superintendent of Police,
Madurai,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to dispose the appeal petition dated 25/08/2016 preferred by the petitioner against the punishment order made in G.O.(2D) No.274 Home (POL.V) Department dated 17/05/2016.

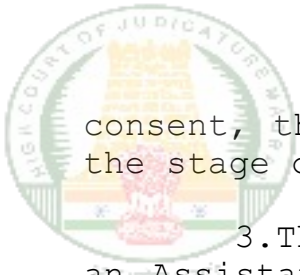
For Petitioner : Mr.A.Nawazkhan
for M/s.Ajmal Associates

For Respondents : Mr.S.Angappan
Government Advocate

O R D E R

This writ petition has been filed seeking a direction to the first respondent to dispose of the petitioner's appeal dated 25.08.2016 preferred against the order made in G.O.(2D) No.274 Home (POL.V) Department, dated 17.05.2016.

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



consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The case of the petitioner is that while he was serving as an Assistant at the office of the third respondent, he was issued with a charge memo by the second respondent. Not being satisfied with the explanation given by the petitioner, the first respondent imposed punishment of 'stoppage of increment for three years without cumulative effect'. Challenging the same, the petitioner preferred an appeal on 25.08.2016 before the first respondent and the same is pending without getting disposal. Hence the petitioner is before this Court seeking early disposal of the Appeal.

4.Considering the facts and circumstances of the case and also considering the fact that the appeal is stated to be pending from the year 2016, this Court, without going into the merits of the case, directs the first respondent to dispose of the appeal dated 25.08.2016, if not already disposed, on merits and in accordance with law, after due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar

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To

1.The Principal Secretary,
State of Tamil Nadu,
Home (Police-5) Department, Secretariat, Chennai - 9.

2.The Director General of Police,
Mylapore, Chennai - 4.

3.The Superintendent of Police,
Madurai, Madurai District.

1 CC to M/s.AJMAL ASSOCIATES, Advocate(SR-52558[F] dated 08/03/2019)
W.P(MD) No.5403 of 2019