



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.6059 of 2019

A.Stephen

... Petitioner

vs.

1.The Chairman/Secretary, (MA&WS Dept.),
Tamil Nadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 5.

2.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai-5.

... 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 dispose of the petitioner's appeal dated 05.09.2018 in accordance with law and consequently direct the respondents to consider the promotion to the petitioner on par with petitioner's junior by duly restoring seniority within stipulated time.

For Petitioner : Mr.Raja.Karthikeyan

For Respondents : Mrs.J.Padmavathy Devi
Special Government Pleader

ORDER

The Writ Petition is filed seeking a direction to the first respondent to dispose of the petitioner's appeal, dated 05.09.2018 in accordance with law and consequently direct the respondents to grant promotion to the petitioner on par with his junior, by duly restoring his seniority within a stipulated time.

2. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that he worked in the Tamil Nadu Water Supply and Drainage Board executed combined water supply scheme as Assistant Engineer from 16.04.2012 to 15.07.2013 in Melur. At that time, the Managing Director has framed charges for certain procedural lapses to 21 Assistant Engineers and Assistant Executive Engineers, including the

petitioner herein. After his due explanation, the second respondent had dropped the first part of the charges, however, awarded punishment to the second part of the charges, against which, the petitioner has preferred an appeal dated 05.09.2018, which is pending. Hence, seeking a direction to the first respondent to dispose of his appeal within a time frame, the petitioner is before this Court by filing this writ petition.

4. The learned Special Government Pleader appearing for the respondents submitted that the appeal pending before the first respondent would be disposed of, on merits, within a time frame as fixed by this Court

5. Considering the nature of the relief sought for by the petitioner, without going into the merits of the case, the first respondent is directed to dispose of the appeal, dated 05.09.2018 preferred by the petitioner and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Chairman/Secretary, (MA&WS Dept.),
Tamil Nadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 5.

2.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai-5.

+1CC TO MR.RAJA.KARTHIKEYAN, Advocate Sr. No.54155

W.P (MD) No. 6059 of 2019
14.03.2019

TR (16.04.2019) 2P 4C