

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 12.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.8818 of 2019**

A.Latha Maheswari

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Social Welfare Department,
Fort St. George, Secretariat,
Chennai - 600 009.

2.The Director of Social Welfare,
Social Welfare Department,
2nd Floor, Panagal Building,
Saidapet, Chennai - 600 015.

3.The District Social Welfare Officer,
District Social Welfare Office,
Collectorate Campus,
Trichy District.

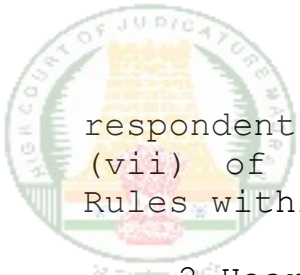
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the first respondent herein to consider and pass final orders on the petitioner's Appeal, dated 26.12.2016 preferred against the order passed by the second respondent by his proceedings in Se.Mu.Na.Ka.No.5761/No.5-3/2012, dated 30.09.2016 passed under Rule 8(vii) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules within the time stipulated by this Honourable Court.

For Petitioner : Mr.S.Mandiralingeswaran

For Respondents : Mr.V.Anand,
Government Advocate.**ORDER**

This writ petition has been filed by the petitioner seeking issuance of a writ of Mandamus, to direct the first respondent to consider and pass final orders on the petitioner's Appeal, dated 26.12.2016 preferred against the order passed by the second



respondent, by proceedings, dated 30.09.2016 passed under Rule 8 (vii) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules within the time stipulated by this Honourable Court.

2. Heard Mr.S.Mandiralingeswaran, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate, 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 grievance of the petitioner is that pursuant to the order passed by this Court in W.P(MD)No.15689 of 2015, dated 31.08.2015, directing the second respondent to pass final orders on the disciplinary proceedings against the petitioner, the second respondent, by proceedings, dated 30.09.2016, imposed the punishment of 'removal from service'. Challenging the same, the petitioner preferred an appeal before the first respondent on 26.12.2016. Since no order has been passed by the first respondent on the said appeal, dated 26.12.2016, the petitioner has approached this Court by way of filing this Writ Petition.

4. The learned Government Advocate appearing for the respondents, on instructions, would submit that eight weeks' time may be granted to the first respondent for the disposal of the appeal filed by the petitioner.

5. Considering the limited scope of the relief sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider and dispose of the appeal filed by the petitioner, dated 26.12.2016 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. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Secretary,
Government of Tamil Nadu,
Social Welfare Department,
Fort St. George, Secretariat,
Chennai - 600 009.



2.The Director of Social Welfare,
Social Welfare Department,
2nd Floor, Panagal Building,
Saidapet, Chennai - 600 015.

3.The District Social Welfare Officer,
District Social Welfare Office,
Collectorate Campus,
Trichy District.

+1 CC to M/s.S.MANDHIRALINGESWARAN, Advocate (SR-60788[F] dated
12/04/2019)

+1 CC to M/s.SPL GP (SR-61247[F] dated 16/04/2019)

PS

W.P (MD) No.8818 of 2019
12.04.2019

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