



WEB COPY

W.P(MD)NO.18167 OF 2019
and
W.M.P(MD)No.14612 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD) NO.18167 OF 2019
and
W.M.P (MD) No.14612 of 2019

M.Soundrapandian :Petitioner

.vs.

1.The Registrar General,
The High Court of Judicature at Madras,
Chennai - 104.

2.The Principal District and Sessions Judge/
Disciplinary Authority,
Srivilliputhur,
Virudhunagar District. : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling upon the records of the second respondent relating to D.No.3563/Sher.2/2019, dated 29.5.2019 and to quash the same and consequently to direct the second respondent to give promotion and monetary benefits to the Petitioner from the actual promotion date of 09.07.2019.

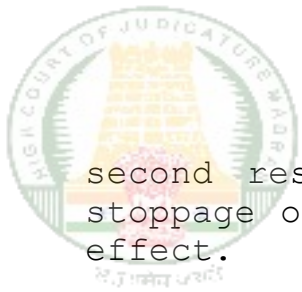
For Petitioner :Mr.R.Niresh Kumar

For Respondent-1 :Mr.N.Tamil mani

O R D E R

[Order of the Court was made by **K.RAVICHANDRABAABU.,J.**]

This Writ Petition is filed challenging the order of the
<https://hcservices.ecourts.gov.in/hcservices/>



second respondent, dated 29.5.2019 imposing the punishment of stoppage of increment for a period of two years with cumulative effect.

2. Heard the learned counsel for the Petitioner and perused the materials placed before us.

3. The challenge made in this Writ Petition is against the order passed by the Disciplinary Authority imposing punishment of stoppage of increment for a period of two years. Though the learned counsel for the Petitioner vehemently contended that the Disciplinary Authority has not applied his mind to the facts and circumstances while passing the impugned order, we are not inclined to entertain those contentions at this stage, since statutory appellate remedy is available to the Petitioner to file an appeal before the appellate authority, as against the order impugned in this Writ Petition. Without exhausting such remedy, the Petitioner is not justified in filing the present Writ Petition challenging the order of the Disciplinary Authority.

4. Accordingly, granting such liberty to the Writ Petitioner to file such appeal within a period of four weeks from the date of receipt of a copy of this order, this Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

vsn

To

1. The Registrar General,
The High Court of Judicature at Madras,
Chennai - 104.
2. The Principal District and Sessions Judge/
Disciplinary Authority,
Srivilliputhur,
Virudhunagar District.



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3.The Section Officer,
ER Section,
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.R. NIRESH KUMAAR, Advocate (SR-83398[F] dated
26/08/2019)

vsn

ORDER MADE IN
W.P (MD) NO.18167 OF 2019
and
W.M.P (MD) No.14612 of 2019
21.08.2019

KM/(10.09.2019) 3P 5C