

HONOURABLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.4415 of 2019

ORDER: *(per V. Ramasubramanian, J)*

The petitioner has come up with the above Writ Petition challenging a penalty of termination from service.

Heard Mr.P.V.Krishnaiah, learned Counsel for the petitioner. The learned Government Pleader, Health and Family Welfare, takes notice for the 4th respondent. Mr.Mohd.Hussain, learned Standing Counsel, takes notice for respondents No.1 and 3.

In view of the limited nature of the disposal that we propose to make, notices to respondents 2 and 5 are dispensed with.

Though the petitioner has come up with a challenge to an order of penalty of termination of his services, the learned Counsel for the petitioner stated that for the present at least a direction may be issued to the 3rd respondent/appellate authority to dispose of an appeal filed against the order of penalty. To this limited prayer, there can be no objection.

However, it was pointed out by the learned Government Pleader that though the order of penalty is dated 06.04.2013, the appeal sought to be disposed of is dated 07.04.2017. But it is found from the material papers that the earliest appeal filed by the petitioner was on 26.08.2013, which was within a period of four months from the date on which the Order was passed. But

immediately thereafter, the State got bifurcated w.e.f. 02.06.2014. Therefore, the petitioner seems to have made repeated appeals after the bifurcation to the 3rd respondent.

Hence, it appears that there has been no delay or laches on the part of the petitioner in filing an appeal.

In the light of the above, the Writ Petition is disposed of, directing the 3rd respondent to consider the appeal of the petitioner on merits in accordance with law and dispose it of within a period of 12 weeks from the date of receipt of a copy of this Order.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

ABHINAND KUMAR SHAVILI, J

March 7, 2019
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