



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.9639 of 2020

A. Ayyanar

... Petitioner

Vs.

1) The State of Tamil Nadu,
Rep. by its Agriculture Production Commissioner/
Principal Secretary,
Agriculture Department,
Secretariat, St.George Fort,
Chennai.

2) The Assistant Director of Agriculture,
O/o the Assistant Agricultural Office,
Athoor @ Sempatty,
Dindigul District.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to dispose the revision petition dated 11.11.2019 preferred by the petitioner against the punishment order issued by the 1st respondent in his proceedings dated 20.09.2019 within the period that may be stipulated by this Court.

For Petitioner : Mr.A.Nawaz Khan,
For M/s.Ajmal Associates

For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the 1st respondent to dispose the revision petition, dated 11.11.2019, preferred by the petitioner against the punishment order issued by the 1st respondent in his proceedings dated 20.09.2019.

2. The petitioner was working as Assistant Agricultural Officer, against whom, disciplinary proceedings were initiated which ended in a punishment, as a result of which vide G.O.Ms.(3D) No.148, Agricultural Department, dated 20.09.2019, a punishment of dismissal from service has been inflicted against the petitioner.



3. As against the said punishment, the petitioner, on 11.11.2019 has preferred a revision before the first respondent and the said revision is still pending. Therefore, in order to dispose the said revision at an early date, the petitioner has approached this Court with this writ petition with the aforesaid prayer.

4. Heard Mr.A.Nawaz Khan, learned counsel appearing for the petitioner and Mrs.J.Padmavathi Devi, learned Special Government Pleader appearing for the respondents, who seeks four months time to dispose of the revision pending before the first respondent, in view of the COVID-19 situation.

5. However, Mr.A.Nawaz Khan, learned counsel appearing for the petitioner would submit that, since the revision is pending from November 2019, an early date can be fixed, within which, let the revision be decided by the first respondent on merits.

6. I have considered the submissions made by both sides and having regard to the factual matrix of the case, this Court is inclined to dispose of the writ petition with the following order:

"that the first respondent is hereby directed to decide the revision, dated 11.11.2019, filed by the petitioner against the order of punishment issued against him in G.O.Ms.(3D) No.148, Agricultural Department, dated 20.09.2019 and pass orders thereon on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order ".

7. With these directions, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Cr1.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sts

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

1) The Agriculture Production
Commissioner/ Principal Secretary,
State of Tamil Nadu,
Agriculture Department,
Secretariat, St.George Fort,
Chennai.

2) The Assistant Director of Agriculture,
O/o the Assistant Agricultural Office,
Athoor @ Sempatty,
Dindigul District.

+1 CC to the SPL GP (SR-14739[F] dated 24/08/2020)

Order made in
W.P. (MD) No.9639 of 2020

Dated:
20.08.2020

SRK(CO)
CS(23.09.2020) 3P 4C