



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.10520 of 2020

WEB COPY

S.T.John Jeseph

... Petitioner

Vs.

1.The Deputy Inspector General,
CISF, South Zone-I,
Rajaji Bhavan, Besant Nagar,
Chennai - 600 090.

2.The Commandant,
CISF, 4th Reserve Battalion,
Amaravathi Pudur, Karaikudi,
Sivagangai District,
Tamil Nadu State.

... 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 petitioner's appeal dated 28.07.2020 made to 1st respondent herein in accordance with law, within the time bound.

For Petitioner

:Mr.K.Kannan

For Respondents

:Mr.R.Rajaraman, Senior Panel
Counsel

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the 1st respondent to dispose the petitioner's appeal dated 28.07.2020 made to 1st respondent herein in accordance with law, within a time limit.

2.The petitioner is a Head Constable at the respondent CISF, against whom, disciplinary proceedings was initiated and the disciplinary authority, pursuant to the said disciplinary proceedings, by his order dated 03.07.2020, has inflicted punishment of compulsory retirement from service on the petitioner, as against which, the petitioner filed an appeal to the 1st respondent on 28.07.2020 and all that, the learned counsel appearing for the petitioner wants is let the appeal to be decided on merits by the appellate authority i.e., the 1st respondent, within a time frame to be stipulated by this Court and in that case, the petitioner would be satisfied.



3.Heard the learned Senior Panel counsel for Central Government appearing for the respondents, who would submit that, the said appeal since has been filed only on 28.07.2020, some reasonable time may be given to dispose of the same on merits by the 1st respondent.

4.Considering the said submissions made by the learned counsel for both sides and taking into account the innocuous nature of the prayer sought for by the petitioner herein, this Court is inclined to dispose of this writ petition with the following direction:

"The 1st respondent, appellate authority, shall decide the appeal filed by the petitioner dated 28.07.2020 on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order and communicate the same to the petitioner."

5.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

+1 CC to Mr.R. RAJARAMAN, Advocate (SR-15462[F] dated 01/09/2020)

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