

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date: 07.06.2021

CORAM

THE HON'BLE MR. JUSTICE V.PARTHIBAN

Writ Petition No.12179 of 2021

S.Sivaraman

...Petitioner

Vs.

1.The Commissioner & Secretary to Government
of Tamil Nadu, Department of Agriculture,
Secretariat Building, Chennai - 600 009.

2.The Director of Horticulture,
Chepauk, Chennai - 600 005.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of writ of Mandamus directing the first respondent herein to dispose of the pending appeal dated 28.07.2020 challenging the order of dismissal vide proceedings No.S.Mu.No.ONa.P1/18526/1989 dated 11.06.2020, on merits, within the stipulated period prescribed by this Court.

For Petitioner : Mr.G.Thangavel

For R1 : Mr.K.V.Sajeev Kumar,
Special Government Pleader

ORDER

The petitioner appears to be a State Government servant, was proceeded against by way of disciplinary proceedings for certain acts of misconduct on his part and on completion of the disciplinary proceedings against him, it appears that an order of dismissal dated 11.06.2020 was imposed on him. As against the same, an appeal is said to have been preferred on 28.07.2020 before the first respondent and the same has still not been disposed of and therefore, he is before this Court for issuance of writ of mandamus.

2.The affidavit contains a plethora of averments which appear to this Court as mostly irrelevant and disjointed and the same need not be dealt with for the purpose of disposing of this

matter. Ultimately, the petitioner wants to dispose of his statutory appeal pending before the first respondent.

3. When the matter is taken up for hearing, Mr. K. V. Sajeer kumar, learned Special Government Pleader who took notice would submit that since the statutory appeal is pending before the first respondent, the same may be directed to be disposed of.

4. In consideration of the limited prayer and the submission of the learned Special Government Pleader, the Writ Petition is disposed of at the admission stage itself as under;

The first respondent, before whom the appeal dated 28.07.2020 is still pending, is directed to dispose of the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrm/vsi

To

1. The Commissioner & Secretary to Government
of Tamil Nadu, Department of Agriculture,
Secretariat Building, Chennai - 600 009.

2. The Director of Horticulture,
Chepauk, Chennai - 600 005.

+1cc to Mr. G. Thangavel, Advocate, S.R.No.27582

W.P.No.12179 of 2021

pl (CO)
pan (13/07/2021)

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