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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.No.12978/2021

[Video Conferencing]

R.Rudra Koteeswaran

Vs

..Petitioner

1.The Special Officer
Greater Chennai Corporation
Ripon Buildings, Chennai-3.

2.The Commissioner
Greater Chennai Corporation
Ripon Buildings, Chennai-3.

..Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 1st respondent to pass orders on the statutory appeal preferred by the petitioner dated 30.11.2020 against the punishment imposed by the 2nd respondent in Ref.Genl.Na.Ka.No.E1/16786/2019 dated 10.11.2020 within a reasonable time as deem fit by this Court.

For Petitioner : Mr.M.Muthappan
For Respondents: Mr.M.Ganesan
Standing counsel

ORDER

1. By consent, the writ petition is taken up for final disposal and is disposed of by this order.
2. Mr.M.Ganesan, learned Standing counsel accepts notice on behalf of the 1st respondent/Corporation of Chennai.
3. This writ petition has been filed seeking mandamus, to direct the 1st respondent to pass orders on the statutory appeal preferred by the petitioner dated 30.11.2020 against the punishment order passed by the 2nd respondent dated 10.11.2020.
4. The case of the petitioner is that while serving as Assistant Engineer, he was visited with a charge memo framing certain charges and the petitioner, submitted his



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explanation denying the charges. Not satisfied with the said explanation, Enquiry Officer was appointed and upon completion of the enquiry and filing of his Report, the 2nd respondent vide order dated 10.11.2020, imposed a punishment of postponement of increment for a period of two years with cumulative effect and challenging the same, the petitioner preferred a statutory appeal on 30.11.2020 and though nearly six months' time has lapsed, the statutory appeal is yet to be disposed and therefore, left with no other option, the petitioner is constrained to approach this Court by filing the present writ petition.

5. The Court heard the submissions of the learned Standing counsel appearing for the respondents.
6. This Court, taking into consideration the limited scope of prayer sought for in this writ petition and without going into the merits of the petitioner's statutory appeal dated 30.11.2020, directs the 1st respondent to consider and dispose of the petitioner's statutory appeal dated 30.11.2020 on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.
7. The writ petition stands disposed of accordingly. No costs.

s/d-
Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

AP

To

1. The Special Officer
Greater Chennai Corporation
Ripon Buildings, Chennai-3.

2. The Commissioner
Greater Chennai Corporation
Ripon Buildings, Chennai-3.

+1 CC to Mr.M.Ganesan, Advocate sr 29062.
+1 CC to Mr.M.Muthappan, Advocate sr 28785.

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GPL (CO)
SP(15/07/2021)