



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.11821 of 2021

WEB COPY

A.Basheer Ahamed

... Petitioner

vs.

1.The Additional Chief Secretary,
Revenue Department,
Secretariat,
Chennai - 5.

2.The Principal Secretary / Commissioner of
Revenue Administration,
Ezhilagam,
Chennai - 5.

3.The District Collector,
Dindigul,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to dispose of the petitioner review application, dated 18.06.2020 filed before him against the second respondent order of Na.Ka.No.Pani 7(1)/21451/2016, dated 24.03.2020, which was confirming the third respondent order of Na.Ka.No.36394/2009/A1, dated 12.04.2016 within the stipulated time fixed by this Court.

For Petitioner : Mr.R.Murugappan

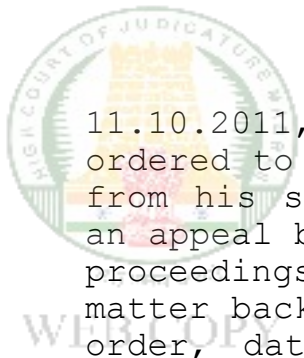
For Respondents : Mr.K.S.Selvaganesh
Government Advocate

ORDER

The petitioner has filed the present Writ Petition, to direct the first respondent to dispose of his review application, dated 18.06.2020, within a time frame to be fixed by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.According to the petitioner, while he was working as Land Acquisition Officer of Dindigul - Trichy National Highways, the third respondent initiated disciplinary proceedings under Rule 20(1) of the Tamil Nadu Government Servant Conduct Rules, 1973. After completing the enquiry, the third respondent by proceedings, dated



11.10.2011, imposed punishment of reduction to a lower post and also ordered to recover one-fourth amount of Rs.12,36,395/- with interest from his salary. Aggrieved over the same, the petitioner preferred an appeal before the second respondent and the second respondent, by proceedings, dated 30.06.2015, allowed the appeal and remanded the matter back for fresh disposal. Thereafter, the third respondent, by order, dated 12.04.2016, imposed punishment to recover a sum of Rs.4,12,132/-, out of the one-third amount of Rs.12,36,395/- from the petitioner. Aggrieved over the same, the petitioner preferred an appeal before the second respondent and the second respondent, by order, dated 24.03.2020, confirmed the order of the third respondent. Aggrieved over the orders, dated 12.04.2016 and 24.03.2020, the petitioner preferred a review petition before the first respondent. The review application is still pending with the first respondent and so far, no order has been passed by the first respondent. Hence, the petitioner has come out with the present Writ Petition.

4.Taking into consideration the fact that the petitioner's review application, dated 18.06.2020, is pending before the first respondent, without deciding the issue on merits, the first respondent is directed to dispose of the review application, dated 18.06.2020 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

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 Additional Chief Secretary,
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Secretariat,
Chennai - 5.

2.The Principal Secretary / Commissioner of
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Chennai - 5.

3.The District Collector,
Dindigul,
Dindigul District.

+1 CC to M/s.SPL GP (SR-22909[F] dated 16/07/2021)

W.P (MD) No.11821 of 2021

15.07.2021

MGJ(26.07.2021) 3P 5C