



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.16962 of 2019

WEB COPY

P.Arockiyaraj

... Petitioner

Vs.

The Principal District Judge,

Appointing Authority-cum-Disciplinary Authority,

Trichirappalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the respondent proceedings related to A.No.17/2019 dated 29.03.2019 and to quash the same as illegal and consequently directing the respondent herein to pay the pension and superannuation benefits to the petitioner on the basis of the petitioner's representation dated 27.05.2019 within a time stipulated by this Court.

For Petitioner : Mr.Prabhu

for Mr.D.Rameshkumar

For Respondent : Mr.N.Mohideen Basha

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

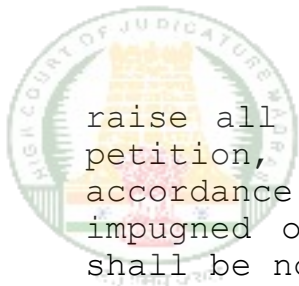
With the consent on either side, the Writ Petition is taken up for final disposal.

2.Heard Mr.Prabhu, learned Counsel for Mr.D.Rameshkumar, learned Counsel appearing for the petitioner and Mr.N.Mohideen Basha, learned Counsel appearing for the respondent.

3.This writ petition has been filed by the petitioner who was working as Office Assistant in the Sessions Court Trichy, challenging an order of punishment dated 29.03.2019.

4.Against the impugned order, the petitioner has an effective alternate remedy by way of an appeal to the High Court. Therefore, the petitioner should not bypass the said remedy.

5.Accordingly, we dispose of the writ petition by directing the petitioner to file an appeal to the High Court within a period of three [3] weeks from the date of receipt of a copy of this order. If the same is done, the appeal shall be entertained, without rejecting the same on the ground of limitation. The petitioner is entitled to



raise all contentions including the contentions raised in the writ petition, in the appeal petition which will be considered in accordance with law. Registry is directed to return the original impugned order, after getting a copy of the same. However, there shall be no order as to costs.

WEB COPY

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

Note: In view of the present lock down owing to COVID-19 andemic, 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

The Principal District Judge,
Appointing Authority-cum-Disciplinary Authority,
Trichirappalli.

Copy to:-

- 1.The Rgistrar General,
Madras High Court,
Madras.
- 2.The Additional Rgistrar General,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Record Keeper, E.R.Section,
Madurai Bench of Madras High Court,
Madurai.

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RD(2.08.2021) 2P 5C