



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2021

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) .No.20319 of 2021

S.Seenivasan

... Petitioner

Vs.

1.The Director of Rural Welfare Department,
Panagal Building,
Saidapet,
Chennai-600 015.

2.The District Collector,
Karur District,
Karur.

3.The Block Development Officer,
Krishnarayapuram Panchayat Union,
Karur District.

4.The Block Development Officer,
Kulithalai Panchayat Union,
Karur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the 1st respondent to dispose of the petitioner's appeal dated 31.08.2021 expeditiously.

For Petitioner

: Mr.S.Sabari Bala Pandian

For Respondents

: Mr.A.K.Manickkam

Government Advocate (Civil)

ORDER

This writ petition has been filed praying for the issuance of Writ of Mandamus, to direct the 1st respondent to dispose of the petitioner's appeal dated 31.08.2021 expeditiously.

2. The learned counsel for the petitioner submits that the petitioner was working as Junior Assistant in the Krishnarayapuram Panchayat Union from the year 2015. At that time, disciplinary proceedings was initiated as against the petitioner under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules for three charges. The main charge framed against the petitioner is that before allowing the contractors to withdraw their respective Earnest Money Deposit (EMD), he has to enter the name of the work, amount,



year and name of the scheme and after releasing the deposited amount to the contractors, he has to enter the same in the concerned register. Since the petitioner did not follow the above said procedure, the second respondent has passed an order of punishment of stoppage of increment for three months without cumulative effect. In fact, it is the duty of the third respondent to verify all those things before releasing the EMD to the contractors. Further, the petitioner has submitted proper explanation on 22.01.2014 by denying all the charges. However, without considering the above explanation, the second respondent has passed the impugned order. Challenging the said order, the petitioner has preferred an appeal before the 1st respondent. Even after a lapse of two months, the first respondent did not pass any order on the petitioner's appeal dated 31.08.2021.

3. In view of the limited prayer as sought for in the writ petition, this Court, without going into the merits of the case, is inclined to direct the first respondent to dispose the appeal filed by the petitioner dated 31.08.2021 on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

To

1.The Director of Rural Welfare Department,
Panagal Building,
Saidapet,
Chennai-600 015.

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Karur District,
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W.P.(MD).No.20319 of 2021

+1 CC to M/s.S.SABARI BALA PANDIAN, Advocate (SR-34338[F] dated 12/11/2021)

+1 CC to M/s.SPL GP (SR-34430[F] dated 15/11/2021)

WEB COPY

W.P. (MD) .No.20319 of 2021

Dated :
12.11.2021

AM(CO)

KB(30.11.2021) 3P 7C