



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.10019 of 2022

P.Subramani

... Petitioner

Vs.

The Secretary to Government,
Department of School Education,
Fort St.George,
Chennai - 600 009.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondent to consider the petitioner Review Petition dated 26.03.2021 in accordance with law within a time frame fixed by this Court.

For Petitioner : Mr.R.Krishnaswamy

For Respondent : Mr.V.Manoharan

Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondent to consider the petitioner's Review Petition dated 26.03.2021 and pass orders in accordance with law within a time frame as fixed by this Court.

3. The case of the petitioner in brief:

The petitioner was working as a Chief Education Officer at Vellore and he was issued charge memo on 09.05.2014 by the Director of School Education, Chennai and an enquiry officer was appointed and he submitted his findings on 10.11.2014. The petitioner submitted his explanation on the enquiry report, as sought for in the second show cause notice. However, on the day before the date of retirement i.e. on 30.05.2016, the petitioner was suspended from service vide Government Order (ID) No.215, School Education (SE1(2)) Department dated 30.05.2016 and



further he was retained in service and prevented from retiring vide another Government Order (ID) No.218 School Education Department (SE1(2) dated 3105.2016. Thereafter, the respondent, vide G.O.(D) No.35 dated 17.02.2021, dismissed the petitioner from service. Therefore, challenging the above said dismissal order, the petitioner preferred a Review Petition before the respondent under Sub-rule 1(b) and (c) of Rule 20 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. The said Review Petition is pending before the respondent and no order has been passed till date. Hence, he filed this writ petition before this Court.

4. Mr.V.Manoharan, learned Additional Government Pleader takes notice on behalf of the respondent fairly submitted that, the above said Review Petition is still pending before the respondent and the same will be disposed of by passing appropriate orders on merits and in accordance with law, within a time as fixed by this court.

5. In the light of the above submissions and also considering the limited scope of prayer, without expressing any opinion on merits, the following order is passed.

i) The respondent is directed to consider the petitioner's Review Petition dated 26.03.2021, and pass orders on merits and in accordance with law, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ata/mst

To

The Secretary,
Department of School Education,
Fort St.George,Chennai - 600 009.

+1cc to the Government Pleader, S.R.No.28394

W.P.No.10019 of 2022

SSI[CO]
NSK 10/05/2022