



Order dated 17.10.2022 in
W.P.No.21182 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.10.2022

Coram:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.21182 of 2022
and
W.M.P.No.20180 of 2022

E.Dhayarathan

.. Petitioner

Vs.

1. The Managing Director,
The State Industries Promotion
Corporation of Tamil Nadu (SIPCOT),
No.19-A, Rukmani Lakshmipathi Road,
Egmore, Chennai-600 008.
 2. The Principal Secretary to Government,
Industries Department,
Chairman of SIPCOT,
Secretariat, Chennai-600 009.
 3. The Enquiry Officer,
Thiru.C.Subramanian, Executive Engineer/SIPCOT,
Egmore, Chennai-600 008.
- Respondents

..

Writ Petition filed under Article 226 of the Constitution of India,

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praying for issuance of a Writ of Certiorarified Mandamus to call for the records connected with the Proceeding No.E3/MISC/45/2009, dated 23.05.2022 from the first respondent and quash the same and consequently direct the first respondent to issue all attendant benefits including scale of pay, seniority and promotion from 09.11.2009 to till date as per SIPCOT Service Rules.

For petitioner : Mr.S.Arun Kumar

For respondents : Mr.S.Girissh, Standing Counsel for R-1

Mr.L.S.M.Hasan Fizal, Addl.G.P.for R-2

No appearance for R-3

ORDER

This Writ Petition has been filed challenging the order dated 23.05.2022 passed by the first respondent, under which, penalty has been imposed on the petitioner by reducing his rank based on the disciplinary proceedings initiated against him.

2. It is now brought to the notice of this Court by the learned Standing Counsel appearing for the first respondent that, aggrieved by the order dated 23.05.2022, the petitioner has preferred a statutory appeal before the Board



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of SIPCOT and on instructions, the learned Standing Counsel submitted that if a direction is issued to the Board of SIPCOT to pass final orders on the petitioner's appeal, on merits and in accordance with law, within the time frame to be fixed by this Court, the Board of SIPCOT shall pass final orders accordingly.

3. Till date, counter affidavit has also not been filed by the respondents in this Writ Petition, and this Writ Petition is coming for hearing for the first time after 17.08.2022 when it was listed "for admission".

4. In the interest of both parties, this Court is of the considered view that it will be better if a direction is issued to the Board of SIPCOT to pass final orders on the petitioner's statutory appeal filed aggrieved by the impugned order, on merits and in accordance with law, within the time frame to be fixed by this Court.

5. For the foregoing reasons, this Writ Petition is disposed of, by



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directing the Board of SIPCOT to pass final orders on the petitioner's statutory appeal filed on 21.07.2022, received by the Board of SIPCOT on 25.07.2022, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, W.M.P.No.20180 of 2022 is closed.

17.10.2022

Office to note: Issue order copy by 19.10.2022

Index: Yes/no

Speaking Order: Yes/no

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To

1. The Managing Director,
The State Industries Promotion
Corporation of Tamil Nadu (SIPCOT),
No.19-A, Rukmani Lakshmipathi Road,
Egmore, Chennai-600 008.
2. The Principal Secretary to Government,
Industries Department,
Chairman of SIPCOT,

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Secretariat, Chennai-600 009.

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3. The Enquiry Officer,
Thiru.C.Subramanian, Executive Engineer/SIPCOT,
Egmore, Chennai-600 008.



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ABDUL QUDDHOSE, J

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