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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.1374 of 2023

K.Balaiyan

Petitioner

vs.

The Secretary to Government,
Revenue Department,
Secretariat,
St. George Fort,
Chennai – 600 009.

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to dispose of the appeal filed by the petitioner dated 28-09-2022, as against the Order passed in Proc No. Sec 5(3)/25154/2015 dated 21-04-2022, within a time frame fixed by this Court.

For Petitioner : Mr.P.Dinesh Kumar

For Respondent : Mr.E.Sundaram
Government Advocate

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to dispose of the appeal filed by the petitioner on 28.09.2022, within the time frame fixed by this Court.



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2.The case of the petitioner is that the petitioner was placed under suspension through the proceedings of the RDO, Mannargudi through proceedings dated 28.08.2014. Thereafter, disciplinary proceedings were initiated and ultimately, a punishment was imposed against the petitioner by compulsorily retiring him from service. Aggrieved by the same, the petitioner has filed an appeal before the respondent on 28.09.2022. Since this appeal was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.P.Dinesh Kumar, learned counsel appearing on behalf of the petitioner and Mr.E.Sundaram, learned Government Advocate appearing on behalf of the respondent.

4.Taking into consideration the limited relief sought in the present writ petition and without going into the merits of the case, there shall be a direction to the respondent to deal with the appeal filed by the petitioner on 28.09.2022 on its own merits and in accordance with law and after affording opportunity to the petitioner and pass final orders, within a period of eight weeks from the date of receipt of copy of this order.



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5. This writ petition is disposed of with the above direction. No Costs.

20.01.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR

To

The Secretary to Government,
Revenue Department,
Secretariat,
St. George Fort,
Chennai – 600 009.



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N. ANAND VENKATESH, J.

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