



WEB COPY



W.P.No.3144 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.3144 of 2022

D.Venkateswaran

... Petitioner

Vs.

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

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent herein to consider and pass orders on the petitioner's representation, dated 22.03.2018, on merits and in accordance with law, to modify the punishment in the light of the order passed by the 2nd respondent herein in his proceedings Na.Ka.No.121165/AP.I(2)/2013, dated 23.08.2014, as done in the case of the petitioner's co-delinquent Mr.B.Swaminathan, HC.820, within a time frame.

For Petitioner : Mr.G.Bala
for M/s.G.Bala and Daisy

For Respondent : Mr.P.Baladhandayutham
Special Government Pleader



W.P.No.3144 of 2022

ORDER

WEB COPY

This writ petition has been filed to direct the 1st respondent herein to consider and pass orders on the petitioner's representation, dated 22.03.2018, on merits and in accordance with law, to modify the punishment in the light of the order passed by the 2nd respondent herein in his proceedings Na.Ka.No.121165/AP.I(2)/2013, dated 23.08.2014, as done in the case of the petitioner's co-delinquent Mr.B.Swaminathan, HC.820, within a time frame.

2.It is the case of the petitioner that the petitioner and two others were served with a same set of charges and were imposed with same punishment of postponement of increment for three years with cumulative effect. However, it is the grievance of the petitioner that, later, one of the co-delinquent's punishment has been reduced to postponement of increment for one year without cumulative effect. In this regard, the petitioner has given a representation, dated 22.03.2018, to the respondent for modification of punishment. However, the same has not been considered. Hence, the writ.



W.P.No.3144 of 2022

3.Heard the learned counsel for the petitioner and

Mr.P.Baladhandayutham, learned Special Government Pleader, who takes notice for the respondent.

4.Considering the limited nature of the relief sought for in the present writ petition, there shall be a direction to the respondent to consider the representation of the petitioner, dated 22.03.2018, and pass appropriate orders, on its own merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

01.09.2023

mkn

Internet : Yes
Index : Yes / No
Neutral citation : Yes / No
Speaking order / Nonspeaking order

To

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

N. SATHISH KUMAR, J.



WEB COPY



W.P.No.3144 of 2022

mkn

W.P.No.3144 of 2022

01.09.2023