



WEB COPY



W.P. No. 8347 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8347 of 2023

Tulasi Rao Boddepalli

... Petitioner

-VS-

1. The Inspector General,
CISF South Sector Head Quarters,
Sathya Nagar,
Chennai Port,
Chennai – 600009.

2. The Director Inspector General,
CISF Unit NLC Neyveli,
Cuddalore District,
Tamil Nadu.

3. The Commandant,
CISF Unit NLC Neyveli,
Cuddalore District,
Tamil Nadu.

...

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to consider the Petitioner's representation dated 13.02.2023 against the finalization of Departmental Enquiry, which has been awarded the penalty of Removal from Service vide Sr.Commandant, CISF Unit, NLC Neyveli by Final Order No. V-15015/CISF/NLC/Disc.Maj.(07)/TRB/2023/519 dated 18.01.2023 and an order in Order No. V-15014/CISF/NLC/Disc.Maj-(07)/TRB-2022/2023-



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411 dated 06.02.2023.

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For Petitioner

: Mr. R.Anbalagan

For Respondents

: Mr. V.Udhayakumar,
Central Government Standing Counsel

ORDER

Heard Mr. R.Anbalagan, Learned Counsel for the Petitioner and Mr. V.Udhayakumar, Learned Central Government Standing Counsel who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who has been inflicted with an order of punishment in Final Order No. V-15015/CISF/NLC/Disc.Maj.(07)/TRB/2023/519 dated 18.01.2023 passed by the Third Respondent had made a representation dated 13.02.2023 against the same before the Second Respondent. However, as no further action has been taken thereon, the Petitioner has filed this Writ Petition. As it informed by the Learned Counsel appearing for the Respondents that the said representation is not in the prescribed format of appeal, Learned Counsel for the Petitioner undertakes to substitute the same immediately and rectify the defects within 10 days from the date of receipt of a copy of this order.



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3. Having due regard to the submissions made by the Learned Counsel for both sides, it is made clear that if the Petitioner carries out the aforesaid requirements and his appeal is found to be in order, the concerned authority shall take the appeal on file and after sending due notice to all parties concerned to attend the hearing on the specified dates, ensure that there is atleast one effective hearing every week showing progress of the case, and hear that appeal affording full opportunity of hearing to all parties concerned following the prescribed procedures in consonance with the principles of natural justice, and pass a reasoned order dealing with each of the contentions raised on merits and in accordance with law and communicate the decision taken to the parties concerned under written acknowledgment.

In fine, the Writ Petition is disposed on the aforesaid terms. No costs.

17.03.2023

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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 31.07.2023.



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P.D. AUDIKESAVALU, J.

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To

1. The District Collector-cum-Panchayat Inspector,
Office of the Collectorate, Nallipalayam (Post),
Namakkal Taluk and District – 637003.
2. The Commissioner,
Mohanoor Panchayat Union,
Mohanoor Post and Taluk,
Namakkal District – 637003.
3. The Headmaster,
Kandasamy Gounder Middle School,
Najai Edaiyaru, Mohanoor Panchayat,
Namakkal District.

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