



WEB COPY



W.P.No.8979 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.8979 of 2021
and W.M.P.No.9496 of 2021

K.Thirumurugan

...

Petitioner

/vs/

1. Principal Secretary to Government,
Micro, Small and Medium Enterprises Department,
Tamil Nadu Secretariat,
Fort St. George,
Chennai – 600 009.

2. T.Mayathevar

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of certiorari to call for the records in G.O.(2D) No.18 Micro, Small and Medium Enterprises [E II (2)] Department dated 03.11.2020 on the file of the first respondent and quash the same.

For Petitioner	...	Mr.A.Immanuel
For Respondents	...	Mr.G.Nanmaran
		Special Government Pleader



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ORDER

This writ petition has been filed for the issuance of writ of certiorari to call for the records in G.O.(2D) No.18 Micro, Small and Medium Enterprises [E II (2)] Department dated 03.11.2020 on the file of the first respondent and quash the same.

2. The petitioner has been imposed with punishment of stoppage of increment for one month without cumulative effect on the allegation that he had used service stamps instead of postal stamps for certain personal communications.

3. It is submitted by the learned counsel for the petitioner that the first respondent had taken action against the petitioner in view of the litigation filed by him against the respondent challenging some transfer orders.

4. The learned Special Government Pleader submitted that the petitioner has not opted to invoke the appeal remedy but had straight away filed this petition challenging the order of the first respondent.



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5. The charge against the petitioner is that he used the service stamps for his private communication and the same was proved. This Court cannot act as a appellate authority on the findings of the disciplinary proceedings or the punishment imposed. The petitioner has got efficacious and alternate remedy by way of preferring an appeal before the appellate authority.

6. Hence this Writ Petition is dismissed by giving liberty to the petitioner to file an appeal before the appellate authority within a period of two weeks from the date of receipt of a copy of this order and get the appeal disposed on merits. No costs. Connected miscellaneous petition is closed.

30.10.2023

Index: Yes / No
Speaking order / Non-speaking order
bkn



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R.N.MANJULA ,J.

bkn

To:

1. The Principal Secretary to Government,
Micro, Small and Medium Enterprises Department,
Tamil Nadu Secretariat,
Fort St. George,
Chennai – 600 009.

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