



WEB COPY



W.P.No.26116 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.26116 of 2023

M.Syed Mohamed

... Petitioner

Versus

1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise (XV) Department,
Fort St.George, Chennai-9.

2.The Principal Secretary to Government,
Social Welfare and Women Empowerment Department,
Fort St.George, Chennai-9.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, or any other appropriate Writ or Order or Direction, in the nature of Writ, directing consideration of the appeal memorandum dated 18.05.2023 by either first or second respondent on merits and within a time to be stipulated by this Court.

For Petitioner	:	Mr.L.Chandrakumar
For Respondents	:	Mr.P.Baladhandayutham, Special Government Pleader

ORDER

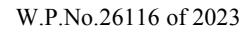
This Writ Petition has been filed for consideration of the appeal memorandum, dated 18.05.2023 by either first or second respondent on merits and within a stipulated time.



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2.The grievance of the Writ Petitioner is that while he was working as Assistant Section Officer in Home Department, has been imposed with the punishment of withholding of increment for five years with cumulative effect consequent to the enquiry pursued under the Sexual Harassment of Women at Working Place (Prevention, Prohibition and Redressal) Act, 2013. Challenging the same, he preferred an appeal before the appellate authority at the relevant point of time. Thereafter, the petitioner has been transferred to the 2nd respondent Department. In view of such transfer, the appeal filed by the petitioner is kept pending and not disposed so far either by the first or second respondent. Hence, seeks direction of this Court.

3.The learned Special Government Pleader appearing for the respondents on instructions submitted that the appellate authority to the Social Welfare and Women Empowerment Department is the 2nd respondent and hence, the appeal along with original G.O(Ms.)No.126, Home (OP-I) Department, dated 17.03.2023 has been transferred to the 2nd respondent for passing final orders on 19.05.2023.



5. With the above direction, this Writ Petition is disposed of. No costs.

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

To

- 1.The Additional Chief Secretary to Government,
Home, Prohibition and Excise (XV) Department,
Fort St.George, Chennai-9.
- 2.The Principal Secretary to Government,
Social Welfare and Women Empowerment Department,
Fort St.George, Chennai-9.



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N.SATHISH KUMAR, J.
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