



WP No.6769 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.07.2023

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

WP No.6769 of 2017

P.Nagaraj

... Petitioner

-Vs-

1. The Principal Secretary to Government
Social Welfare and Nutritious Meal Programme
(SW-1) Department,
Secretariat, Chennai - 600 009.
2. The Director of Social Welfare
Chennai - 600 032.
3. The Director cum Mission Director
ICDS Project, Taramani, Chennai - 113.
(Integrated Child Development Scheme Project)

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India
praying for a Writ of Certiorarified Mandamus calling for the records
relating to the second respondent herein in proceedings R.C.No. 14658/



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Admn 5 -1/2014 dated 9.12.2016 and quash the impugned punishment of Compulsory Retirement from service under 56(2) of the Fundamental Rules and consequently reinstatement the petitioner into service with all consequential benefits with due regards to the petitioner seniority.

For Petitioner : Mr.R.S.Anandan
For Respondents : Mr.S.Ravi Kumar
Special Government Pleader

ORDER

Writ Petition has been filed in the nature of -Certiorarified Mandamus seeking to quash punishment of compulsory retirement from service passed under 56(2) of the Fundamental Rules against the petitioner and to reinstate the petitioner into service. The petitioner had joined service as Junior Assistant on compassionate basis in 1992. He was finally promoted as Superintendent in the year 2006. Owing to various circumstances which are not required to be examined by this Court, a punishment of compulsory retirement had been passed against the petitioner herein consequent to the impugned order.



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2. The petitioner had filed an Appeal questioning such imposition of punishment and I am presented with a Government Order (D) No. 273, dated 19.12.2017 passed by the Social Welfare and Nutrition Meal Programme (SW-1) Department, wherein the punishment of compulsory retirement had been modified into stoppage of increment for five years with cumulative effect, affecting his pension.

3. The learned counsel for the petitioner may state that the petitioner would work out his remedies in an appropriate forum and in appropriate manner questioning this particular order.

4. In view of that particular fact, nothing remains to be adjudicated in this Writ Petition. Accordingly, this Writ Petition stands disposed of. No costs.

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vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

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C.V.KARTHIKEYAN, J.,

vsg

To

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