



W.P.(MD)No.4070 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:28.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4070 of 2023

P.Radha

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Personnel Assistant to District Collector(Development),
O/o.the Collectorate Campus,
Sivagangai District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to dispose of the appeal dated 18.01.2023 preferred by the petitioner as against the order of punishment issued by the second respondent vide his proceedings dated 11.01.2023 within the period that may be stipulated by this Court.

For Petitioner

: Mr.H.Mohamed Imran for
M/s.Ajmal Associates

For Respondents

: Mr.S.P.Maharajan,
Special Government Pleader



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ORDER

This writ petition has been filed for a direction to the first respondent to dispose of the appeal, dated 18.01.2023, preferred by the petitioner as against the order of punishment issued by the second respondent vide his proceedings, dated 11.01.2023, within a specified period.

2. The case of the petitioner is that the petitioner was initially appointed as Part Time Clerk on 20.11.2001 at S.S.Kottai Village Panchayat. Subsequently, considering the unblemished service rendered by the petitioner, the petitioner was posted as Panchayat Secretary. While being so, the petitioner was issued with a charge memo and for which, the petitioner submitted her explanation on 10.10.2022. Subsequently, an Enquiry Officer was appointed, who in turn, after enquiry, filed a report on 21.11.2022. Subsequently, the second respondent vide his proceedings, dated 11.01.2023, has imposed a major punishment of dismissal from service. Aggrieved by the said punishment, the petitioner preferred an appeal, dated 18.01.2023 and the



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said appeal is pending before the first respondent and no order was passed. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to dispose of the appeal preferred by the petitioner, dated 18.01.2023 and pass appropriate orders, on merits and in accordance with law, within a specified period.

4. The learned Special Government Pleader appearing for the respondents, has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to dispose of the appeal filed by the petitioner dated 18.01.2023 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of.

No costs. Consequently, connected Miscellaneous Petitions are closed.

28.02.2023

pm

Index:Yes/No

NCC:Yes/No

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Personnel Assistant to District Collector(Development),
O/o.the Collectorate Campus,
Sivagangai District.



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M.DHANDAPANI, J.

pm

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