



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.26696 of 2024

A.Sakthivel

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Rural Development & Panchayat Raj Department,
Fort St. George,
Chennai – 600 009.

2.The Director of Rural Development & Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 600 015.

3.The District Collector,
Erode District,
Erode.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to pass final orders in the appeal dated 02.12.2023 filed by the petitioner pursuant to the proceeding bearing Na.Ka.No.64724/2022/TPC 1-2 dated 5.9.2023 issued by the Director, Rural Development Department, Chennai.



For Petitioner : Ms.T.Hemalatha

For Respondents : Mr.P.Balathandayutham
Special Government Pleader
for R3 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to pass final orders in the appeal filed by the petitioner on 02.12.2023, within the time frame fixed by this Court.

2.Heard Mr.T.Hemalatha, learned counsel appearing on behalf of the petitioner and Mr.P.Balathandayutham, learned Special Government Pleader appearing on behalf of the respondents.

3.The case of the petitioner is that the charge memo was issued against the petitioner under Rule 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules. The petitioner gave his explanation. Not satisfied with the same, an Enquiry Officer was appointed and enquiry was conducted and an enquiry report was also submitted. The petitioner also gave explanation for the enquiry report. In spite of the same, the 2nd respondent through proceedings dated 05.09.2023, held that the charges have been proved and imposed a punishment of stoppage of increment for a period of



three years with cumulative effect. Aggrieved by the same, the petitioner filed an appeal before the 1st respondent on 02.12.2023.

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4.The grievance of the petitioner is that the appeal is yet to be considered by the 1st respondent and hence, left with no other option, the present writ petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for by the petitioner, there shall be a direction to the 1st respondent to deal with the appeal filed by the petitioner on 02.12.2023, on its own merits and in accordance with law and final orders shall be passed, within a period of twelve weeks from the date of receipt of copy of this order.

6.This writ petition is disposed of with the above directions. No Costs.

13.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr



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N. ANAND VENKATESH, J.

SSR

To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Rural Development & Panchayat Raj Department,
Fort St. George,
Chennai – 600 009.
- 2.The Director of Rural Development & Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 600 015.
- 3.The District Collector,
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