



W.P.No.2738 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.2738 of 2019 and
W.M.P.No.3001 of 2019

R.Gowthaman

... Petitioner

Vs.

The Commandant,
TSP 1st Battalian, Trichy.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relates to the proceedings of the respondent dated 29.12.2016 issued in P.R.No.11/2016 (Rule 17(b) of TNCS (D&A) Rules) and quash the same. and consequently, direct the respondent to grant all consequential service and monetary benefits.

For Petitioner : Mr.P.I.Thirumoorthy

For Respondent : Mr.A.M.Ayyadurai, GA



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ORDER

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This Writ Petition has been filed to call for the records relates to the proceedings of the respondent dated 29.12.2016 issued in P.R.No.11/2016 (Rule 17(b) of TNCS (D&A) Rules) and quash the same. and consequently, direct the respondent to grant all consequential service and monetary benefits.

2. Heard Mr.P.I.Thirumoorthy, learned counsel for the petitioner, Mr.A.M.Ayyadurai, learned Government Advocate for the respondents and perused the materials available on record.

3. The learned Government Advocate for the respondent submitted that despite the petitioner has got the appellate remedy, he did not make use of the opportunity and filed this Writ Petition directly.

4. As the petitioner has filed this Writ Petition without exhausting the statutory remedy of filing an appeal before the Appellate Authority, I feel it is appropriate to dispose this Writ Petition with liberty to the petitioner to file an appeal.



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5. In the result, this Writ Petition is disposed 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 raise all the points now raised before this Court before the Appellate Authority. If such appeal is filed, the appellate authority is directed to dispose the same within a period of four weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes /No

12.03.2025

Speaking / Non-speaking

Neutral Citation : Yes / No

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R.N.MANJULA, J.

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To

The Commandant,
TSP 1st Battalion, Trichy.

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W.M.P.No.3001 of 2019

12.03.2025