



W.P(MD)No.5645 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.5645 of 2025
and W.M.P(MD)No.4120 of 2025**

S.P.Gopinath Vijay

... Petitioner

vs.

1.The Principal District Judge (Appellate Authority),
Sivagangai, Sivagangai District.

2.The Subordinate Judge,
Manamadurai, Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in disciplinary proceedings No.1 of 2013 dated 08.09.2023 on the file of the second respondent and the consequential impugned order in Appeal No.04 of 2024 dated 30.01.2025 on the file of the first respondent and quash the same as illegal and consequently for a direction, directing the first respondent to grant promotion to the petitioner to the post of Assistant with effect from 01.11.2023 by placing the petitioner above his junior with all consequential benefits within the time stipulated by this Court.

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For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.Mahaboob Athiff

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

Admittedly, disciplinary proceedings were initiated against the writ petitioner and the punishment of stoppage of increment for one year without cumulative effect was imposed.

2.The original authority, namely the Subordinate Judge, Manamadurai, imposed the penalty of stoppage of increment for one year with cumulative effect which was modified by the Appellate Authority, namely the Principal District Judge, Sivagangai, to stoppage of increment for one year without cumulative effect.

3.The learned counsel appearing for the petitioner would submit that since revisional remedy is available to the petitioner, he may be permitted to prefer a revision before the Registrar General, High Court for consideration of the issues on merits.



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4.In view of the said submission, the petitioner is at liberty to submit a revision before the Registrar General and in the event of receiving any such revision petition, the period during which the Writ Petition was pending before the High Court shall be taken into consideration for condoning the delay and the issues shall be decided on merits and in accordance with law as expeditiously as possible.

5.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
10.06.2025

NCC : Yes / No
Index : Yes / No
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To

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Sivagangai District.
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Manamadurai,
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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

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