

W.P.(MD)No.7529 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2025

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.7529 of 2025

G.Ram Robust

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Finance Department,
Secretariat,
Chennai - 600 009.
- 2.The Director General of Audit
Office of the Local Fund Audit,
Chennai - 600 035.
- 3.The Deputy Director,
Local Fund Audit Department,
Integrated Building of Finance Department,
4th Floor, Amma Complex,
Nandhavanam,
Chennai - 600 035.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the second respondent Director General of Audit to consider and pass orders forthwith on the Appeal submitted by the petitioner to him dated 25.09.2024 within the specified time as may be stipulated by this Court.



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For Petitioner : Mr.P.Muthuvel

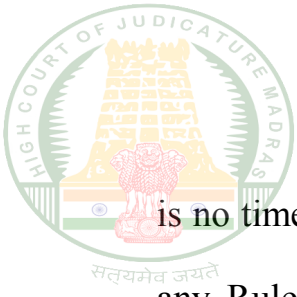
For Respondents : Mr.S.Saji Bino
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a writ of mandamus directing the second respondent to consider and pass orders forthwith on the appeal submitted by the petitioner to him on 25.09.2024.

2. The petitioner is working as Assistant Inspector in the Office of the Deputy Director, Thoothukudi Corporation Local Fund Audit, Thoothukudi District. The third respondent issued proceedings, dated 20.09.2024 imposing a punishment of stoppage of increment for one year with cumulative effect inclusive of the intervals spent on leave. Aggrieved by the order of the third respondent, the petitioner preferred an appeal to the second respondent on 25.09.2024. The grievance of the petitioner is that the said appeal has not been disposed of till date.

3. The learned Special Government Pleader appearing for the respondents submits that though there is time limit for preferring an appeal is 60 days, there



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is no time limit fixed for disposal of the appeal by the appellate authority under any Rules and Regulations. The learned Special Government Pleader further contends that the second respondent will dispose of the appeal, if the Court stipulates any time for that purpose.

4. Considering the submissions of the respective learned counsels and on perusal of the materials available on record, it appears that the appeal preferred by the petitioner on 25.09.2024 before the second respondent against the punishment order issued by the third respondent on 20.09.2024. It is very unfortunate to hear that time is fixed for preferring an appeal, but, without fixing any time to dispose of the said appeal by the appellate authority under the relevant Rules. In the relevant Rules, the competent authority ought to have fix some time for disposal of the appeals within a reasonable period. Due to the absence of such time limit in the relevant Rules, the appellate authorities like the second respondent are not disposing the appeals within a reasonable time and keeping it pending for years together for which the appellants are suffering a lot.

5. In view of the above, in the considered opinion of this Court, the reasonable time to dispose of the appeal is three months from the date of filing



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of the appeal. It is the duty of all statutory authorities to dispose of the appeals within a period of three months from the date of its filing. In the present case, this appeal is pending for more than 6 months.

6. In view of the above, it is appropriate and reasonable to dispose of the writ petition at the admission stage with the consent of both parties with a direction to the second respondent to dispose of the appeal filed by the petitioner on 25.09.2024 within the time to be stipulated herein to meet the ends of justice.

7. Accordingly, the writ petition is allowed with a direction to the second respondent to consider the appeal filed by the petitioner on 25.09.2024 and pass appropriate orders in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

No costs.

19.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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BATTU DEVANAND, J.

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