

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.NO.12096 OF 2015
AND M.P.NOS.1 AND 2 OF 2015

S.Paulraj

.. Petitioner

Versus

1.The Registrar of Co.op Societies
Chennai - 600 010.

2.State of Tamil Nadu
Rep. by its Principal Secretary to Government
Co.op Food and Consumer Protection Department
Fort St. George,
Chennai - 600 009.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, to call for the records relating the G.O.(2D) No.78, Co.op, Food and Consumer Protection (CE2) Department, dated 15.12.2014 issued by the second respondent, quash the same in so far as the 2nd respondent has reserved in para 5 of the Government Order the right to proceed in respect of charge memos 12.10.1999; 13.07.2001 and 30.06.2005 under Rule 9 of Tamil Nadu Pension Rules 1978 and consequently direct the respondents to release the entire retirement benefits with penal interest.

For Petitioner : Mr.S.Venkataraman
For Respondents : Ms.T.P.Savitha
Government Advocate

O R D E R

Heard both sides.

2.Though the prayer in the writ petition is to set aside the order passed in G.O.(2D) No.78, Co.op, Food and Consumer Protection (CE2) Department, dated 15.12.2014 by the second respondent, in so

far as the second respondent has reserved in para 5 of the Government Order the right to proceed in respect of charge memos 12.10.1999; 13.07.2001 and 30.06.2005 under Rule 9 of Tamil Nadu Pension Rules 1978 and for a consequential direction to the respondents to release the entire retirement benefits with penal interest, at the time of hearing, the learned counsel for the petitioner has submitted that the petitioner would be satisfied if a direction is issued to the respondents to pass final orders on the pending disciplinary proceedings initiated against him. It is stated that the petitioner is now aged 68 years and he reached the age of superannuation ten years back. In view of the non passing of the final order, the petitioner is not able to get the terminal benefits.

3. Since a limited prayer is made at the time of hearing, the second respondent is directed to pass orders on all the disciplinary proceedings pending against the petitioner, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order. If any adverse order is passed by the Government, the petitioner is at liberty to challenge the same before appropriate forum.

4. The writ petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

TK

To

1. The Registrar of Co.op Societies
Chennai - 600 010.

2. The Principal Secretary to Government
Government of Tamil Nadu
Co.op Food and Consumer Protection Department
Fort St. George, Chennai - 600 009.

1 cc to Mr.S.Venkataraman ,Advocate, SR.No.22372
1 cc to Government Pleader, Sr.No22309

W.P.NO.12096 OF 2015

mp(co)
pmk.27.4.2015