

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.16456 of 2015 and
M.P.No.1 of 2015

G.Sudarsana Choudry

... Petitioner

vs.

1.The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

2.The Secretary to Government,
Municipal Administration and Water Supply
Department, Secretariat, Chennai - 600 009.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorarified mandamus, calling for the records relating to the impugned charge memo issued by the first respondent in Roc.No.44901/07/OP.3 dated 17.08.2007 and quash the same and consequently direct the respondents to settle the DCRG amount due to the petitioner since the petitioner was already allowed to retire from service on 31.08.2007.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

The petitioner was issued with a charge memo dated 17.08.2007 making certain allegations. It is not relevant to go into those allegations. He reached the age of superannuation on 31.08.2007. He was allowed to retire from service without prejudice to the outcome of the disciplinary proceedings.

2. The petitioner has filed this writ petition to quash the charge memo dated 17.08.2007 and consequently seeks for a direction to settle the DCRG amount.

3. When the matter is taken up for hearing, the learned counsel for the petitioner has submitted that the petitioner would be satisfied if a direction is issued to the second respondent to complete the disciplinary proceedings relating to charge memo dated 17.08.2007 and to pass final orders, within a stipulated period as fixed by this Court and further seeks a direction to consider the payment of DCRG as per the Rules.

4. In view of the narrow prayer now made, the writ petition is disposed of by directing the second respondent to complete the enquiry relating to charge memo dated 17.08.2007 and pass final orders within a period of four months from the date of receipt of a copy of this order. The second respondent is further directed to consider the claim made by the petitioner for payment of DCRG as per the Rules, since he was permitted to retire and pass an order, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

svki

To

1.The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

2.The Secretary to Government,
Municipal Administration and Water Supply
Department, Secretariat, Chennai - 600 009.

1 cc to Mr.T.Ranganathan, Advocate, Sr. 27963

1 cc to Government Pleader, Sr. 28222

W.P.No.16456 of 2015

KSJ (CO)

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