

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.16626 of 2015

N.Sivalingam

...Petitioner

... Vs ...

1. The State of Tamilnadu,
Rep. by the Principal Secretary to Government,
Home (Transport II) Department,
Secretariat, Chennai-9.
2. Tribunal for Disciplinary Proceedings,
5/1842-A, Regulated Market Complex,
Tiruchi Highway, Ramanathapuram,
Coimbatore - 601 405.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent herein to pass final orders on the enquiry report of the Tribunal for Disciplinary Proceedings, Coimbatore on the charge memo issued against the petitioner in C.No.515/2008/A1, dated 30.07.2008 in case No.46 of 2008.

For Petitioner : Mr.A.Ganesan

For Respondents : Mrs.M.E.Raniselvam,
Additional Government Pleader

ORDER

Since the prayer in the writ petition lies in a narrow campus, the writ petition is taken up for final disposal at the admission stage itself.

2. Mrs.M.E.Raniselvam, learned Additional Government Pleader takes notice for the respondents.

3. A disciplinary proceeding was pending before the Tribunal for Disciplinary Proceedings, Coimbatore, and the Tribunal sent its report to the first respondent on 31.12.2008. Since the petitioner

was to retire from service on 31.10.2008, on reaching the age of superannuation, appropriate orders were passed, not permitting him to retire and retaining him in service and he was also placed under suspension.

4. Based on the report, the petitioner also gave his comments. He made a representation dated 15.05.2010. But no final order is passed by the first respondent on the disciplinary proceedings. He has also made a representation dated 14.05.2015 to pass final orders on the disciplinary proceedings.

5. In the aforesaid facts and circumstances of the case, the first respondent is directed to pass final orders on the enquiry report of the Tribunal for Disciplinary Proceedings, Coimbatore, relating to the Charge Memo issued against the petitioner in C.No.515/2008/A1, dated 30.07.2008 in case No.46 of 2008, within a period of two months from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jrl

To

1. The Principal Secretary to Government,
The State of Tamilnadu,
Home (Transport II) Department,
Secretariat, Chennai-9.

2. Tribunal for Disciplinary Proceedings,
5/1842-A, Regulated Market Complex,
Tiruchi Highway, Ramanathapuram,
Coimbatore - 601 405.

1 CC to Mr.A.Ganesan, Advocate SR.No. 28554

1 CC to the Government Pleader, SR.No. 29021

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CA (CO)

PSI (23.06.2015)