

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 25-06-2015

CORAM:

THE HONOURABLE MR. JUSTICE D. HARIPARANTHAMAN

W.P.No.18268 of 2015 and M.P.No.1 of 2015

1 G.Sudarsana Choudry
Regional Director of Municipal
Administration (Retd.)
No.11/6 92nd Street
18th Avenue, Ashok Nagar,
Chennai-83 ...Petitioner

Vs.

1 The Commissioner of
Municipal Administration,
Chepauk, Chennai-5.
2 The Secretary to Government
Municipal Administration and
Water Supply Department
Secretariat, Chennai-9. ...Respondent

Petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus calling for the records relating to the impugned charge memo issued by the 1st respondent in Roc. No. 45786/2007/C2 dated 13.08.2007 and quash the same and consequently direct the respondents to release the DCRG amount due to the petitioner as on 31.08.2007 along with an interest of 12% as admissible under the Rule 49-A of the Tamil Nadu Pension Rules 1970

For petitioner :: Mr. T. Ranganathan
For respondents :: Mrs. M.E. Raniselvam, Addl.G.P.

ORDER

The petitioner was the Regional Director of Municipal Administration at Vellore. He was issued with a charge memo dated 13-08-2007. However, when he reached the age of superannuation on 31-08-2007, he was permitted to retire. In view of the pendency of the charge memo, he did not receive the gratuity amount and also full pension.

2. According to the learned counsel for the petitioner, the charge memo was issued in the year 2007 itself and till date no enquiry was conducted by the respondents.

3. When the prayer in the writ petition is to quash the charge memo, the learned counsel for the petitioner submitted that the petitioner would be satisfied if a direction is issued to the second respondent to pass final orders in the disciplinary

proceedings relating to the aforesaid chargememo dated 13-08-2007, within a stipulated period.

4. In view of the narrow prayer made, a direction is issued to the second respondent to conclude the departmental proceedings under the Tamil Nadu Pension Rules and to pass final orders, within a period of four months from the date of receipt of a copy of this order.

5. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

glp

To

1 The Commissioner of
Municipal Administration,
Chepauk, Chennai-5.

2 The Secretary to Government
Municipal Administration and
Water Supply Department
Secretariat, Chennai-9

+1cc to Mr.T. Ranganathan, Advocate, S.R.No.31190

+1cc to the Government Pleader, S.R.No.31440

SCD(CO)

EU(07/07/2015)

सत्यमेव जयते

W.P.No.18268 of 2015
and M.P.No.1 of 2015

WEB COPY