

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

W.P.Nos.15457 to 15460 of 2014

and

M.P.Nos.1 and 2 of 2014

(in each petitions)

and

M.P.No.1 of 2015

in

W.P.No.15457 of 2014

P.Indiragandhi ... Petitioner in W.P.No.15457
of 2014

K.Velkanni ... Petitioner in W.P.No.15458
of 2014

R.P.Gersial Packiam Devakumari ... Petitioner in W.P.No.15459
of 2014

V.Ganesan ... Petitioner in W.P.No.15460
of 2014

vs.

1. The Government of Tamil Nadu
rep.by its Principal Secretary
Labour and Employment Department
Fort St.George, Chennai-9.
2. The Commissioner
Tribunal for Disciplinary Proceedings
Tiruchirappalli. ..Respondents in all W.Ps.

Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of writ of certiorarified mandamus to call for the records relating to the second respondent herein in Proceedings Rc.No.348/2009/A1, T.D.P.No.8/2009 dated 27.05.2009; to quash the same insofar as the petitioners are concerned and to consequently direct the respondents to re-transfer the petitioners to Cuddalore and confer the promotional post of Junior Employment Officer, District Employment Officer, Junior Employment Officer and Junior Employment Officer respectively with due regards to the petitioners' seniority and consequentially grant further promotion on par with the petitioners' juniors.

For Petitioner : Mr.R.S.Anandan
in all W.Ps.

For Respondents : Mr.P.Sanjay Gandhi
in all W.Ps. Additional Government Pleader

COMMON ORDER

The petitioners are aggrieved by the charge memo dated 27.05.2009 issued by the second respondent.

2. The petitioners have earlier filed writ petitions in W.P.Nos.21710 to 21713 of 2009 challenging the very same charge memo. This Court after taking into account the subsequent events relating to the initiation of enquiry proceedings directed the second respondent to conclude the disciplinary proceedings within a period of five months. However, the second respondent failed to conclude the proceedings, resulting in filing these writ petitions.

3. Since the second respondent flouted the order passed by this Court, I have initiated suo motu contempt proceedings against him. The second respondent appeared in the said suo motu proceedings and filed an affidavit of undertaking that he would conclude the proceedings within a period of three months. Accordingly, the contempt petition was closed.

4. In view of the order passed in the suo motu contempt proceedings [in Contempt Petition No.378 of 2015], it is not necessary to take up the writ petitions to consider the correctness of charge memo issued to the petitioners.

5. The second respondent is directed to conclude the disciplinary proceedings within a period of three months' from today pursuant to his undertaking dated 17.03.2015.

6. Learned counsel for the petitioners wanted the second respondent to conduct the proceedings at Villupuram. The second respondent, who is present in Court, is also agreeable for camp sitting at Villupuram. It is open for the second respondent to fix the venue at Villupuram. The petitioners are directed to co-operate with the second respondent for an early disposal of disciplinary proceedings.

7. The writ petitions are disposed of with the above direction. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vj2

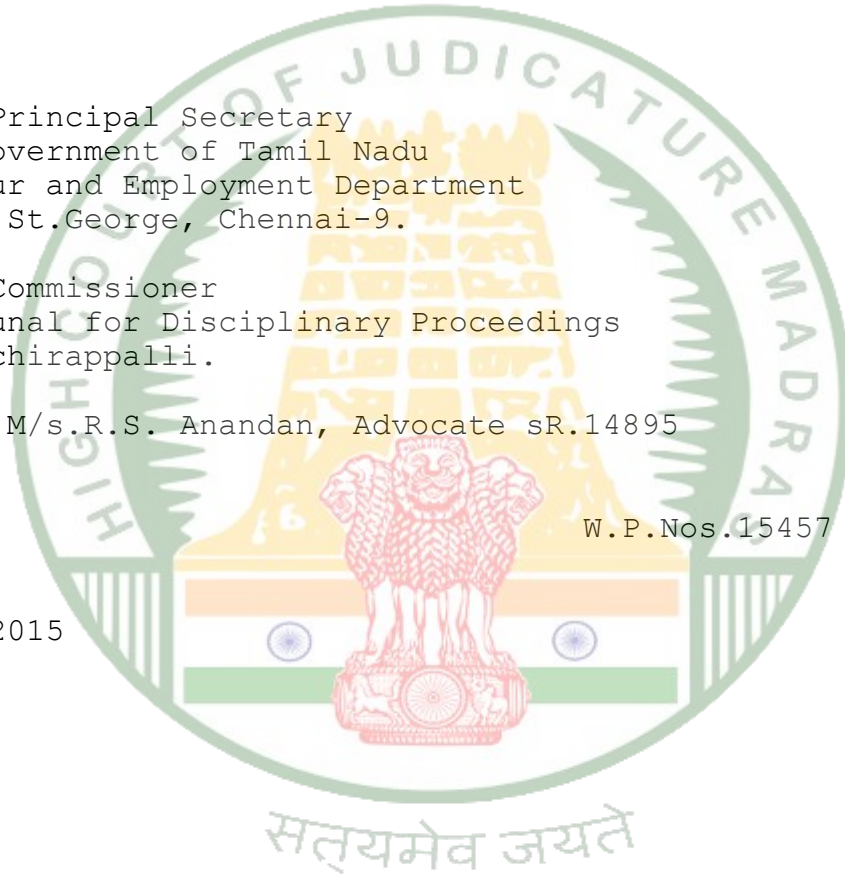
To

1. The Principal Secretary
to Government of Tamil Nadu
Labour and Employment Department
Fort St.George, Chennai-9.
2. The Commissioner
Tribunal for Disciplinary Proceedings
Tiruchirappalli.

+ 1 cc to M/s.R.S. Anandan, Advocate sR.14895

W.P.Nos.15457 to 15460 of 2014

ALA(CO)
EU 31.03.2015



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