

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-08-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.23453 of 2015

T.Murugesan

.. Petitioner

vs

1. The State of Tamil Nadu
rep. By its
Principal Secretary to Government
Home (Transport) Department
Secretariat, Chennai 600 009

2. Principal Secretary and
Transport Commissioner
Chepauk, Chennai 600 005

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to pass final orders on the enquiry proceedings submitted by the enquiry officer to the first respondent on the Charge Memo issued to the petitioner in Memo R.No.43265/VB1/2008 dated 4.11.2008, by the second respondent.

For Petitioner : Mr.A.Ganesan

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner would state that he while working as Assistant (Accountant) in the Office of the Regional Transport Officer, Trichy, during the year 2005, faced a surprise raid by the Officials of the Vigilance and Anti-Corruption Department, Tiruchirappalli, on 25.10.2005, and thereafter, the second respondent has issued to the petitioner, a charge memo dated 4.11.2008, under Section 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, and he has submitted his written statement of defence denying the charge and the second respondent has appointed the Joint Transport Commissioner (South), Chennai, as the Enquiry Officer to

enquire into the charge and the said Official has also concluded the enquiry and submitted a report during February, 2011. According to the petitioner, he was also communicated with the enquiry report calling upon his explanation and it was also submitted by him on 9.7.2013, and thereafter, nothing has been heard so far.

3.The grievance expressed by the petitioner, is that on account of the pendency of the disciplinary proceedings, he has not been given further promotion, whereas his juniors were given promotion, and in this regard, he submitted a representation dated 30.6.2014, and since he has not been favoured with any response, came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepted notice on behalf of the respondents.

5.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without going into the merits of the same, directs the first respondent to pass orders on the enquiry report pertaining to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

nsv

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To:

1. The Principal Secretary to Government
Home (Transport) Department
Secretariat, Chennai 600 009

2. Principal Secretary and
Transport Commissioner
Chepauk, Chennai 600 005

+ 1 cc to Mr.C.Prakasam, Advocate SR 39580

+ 1 cc to Govt.Pleader SR 39942

rsi(co)
prk19/8

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