

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24385 of 2015

Mathivanan

...Petitioner

Vs

1. The Secretary to Government,
Agricultural Production Commissioner
and Secretary to Government,
Agricultural Department,
Fort St. George, Chennai-9.

2. The Director of Agriculture,
Chepauk, Chennai-5.

...Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of mandamus directing the first respondent to pass final orders on the disciplinary proceedings issued by the second respondent, the Director of Agriculture, Chepauk, Chennai-5 in No.Pa.O.Na.1/6/82002/07 dated 21.04.2008 within short date that may be fixed by this Court and disburse the terminal benefits of the petitioner.

For Petitioner : Ms.G.Sridevi

For Respondents : Mr.S.Gunasekaran,
Govt. Advocate

ORDER

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

2.The petitioner, while working as a Seed Certification Officer at Virudhachalam, Cuddalore District, was placed under suspension on the verge of superannuation on 28.02.2014 and thereafter, his services were extended beyond the age of superannuation. The petitioner was issued with a charge memo dated 21.04.2008, framing 52 charges and according to him, majority of the charges have not been proved as per the enquiry report dated 18.03.2014 and the petitioner was furnished a copy of the enquiry report and he has also submitted his further explanation on 09.01.2015. However, no final orders have been passed on the enquiry report submitted by the enquiry officer. Hence the petitioner submitted a review petition, stating among other things that since major amount has been recovered, the order of suspension may be reviewed and he may be permitted to retire from service. Since no response is forthcoming, the petitioner came forward to file the present writ petition.

3.Ms.G.Sridevi, learned counsel appearing for the petitioner would submit that the order of suspension came to be issued on the verge of retirement. She would further submit that though nearly seven years had lapsed, no final orders have been passed by the disciplinary authority and on account of the same, the petitioner and his family are suffering very much and hence prays for appropriate orders.

4.The Court heard the submissions of Mr.S.Gunasekaran, learned Government Advocate, who accepts notice on behalf of the respondents.

5.This Court, taking into consideration the above facts and circumstances and without going into merits of the same, directs the first respondent to pass final orders on the disciplinary proceedings initiated against the petitioner in No.Pa.O.Na.1/6/82002/07 dated 21.04.2008, on merits and in accordance with law as expeditiously as possible, preferably, not later than 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.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

mmi

To

1. The Secretary to Government,
Agricultural Production Commissioner
and Secretary to Government,
Agricultural Department,
Fort St. George, Chennai-9.

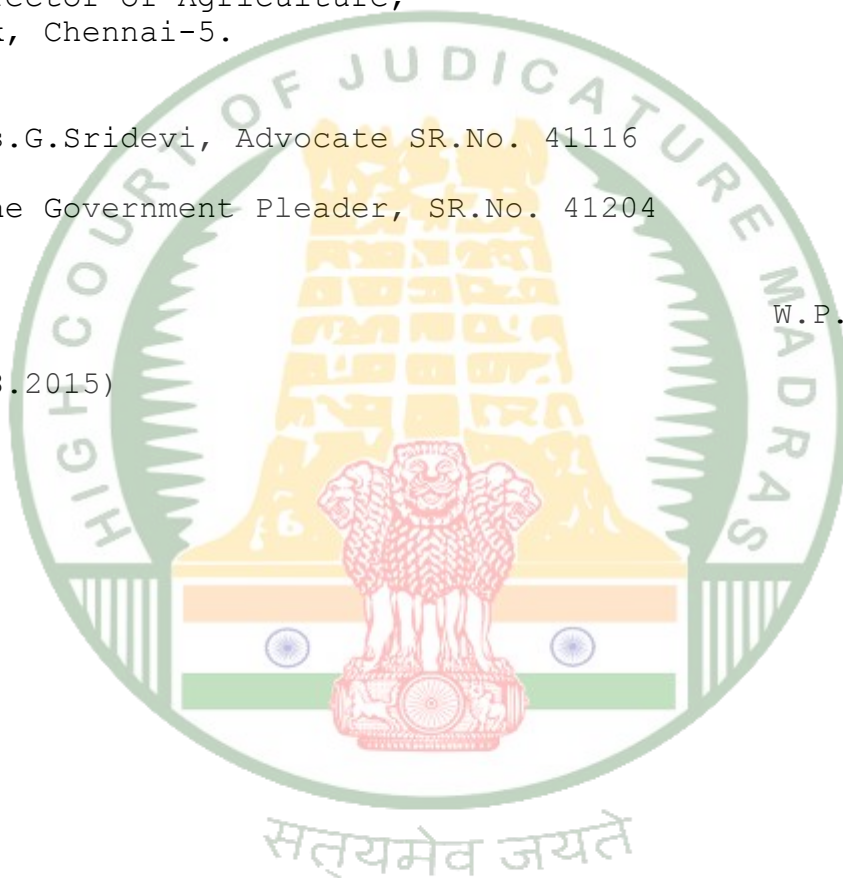
2. The Director of Agriculture,
Chepauk, Chennai-5.

1 CC to Ms.G.Sridevi, Advocate SR.No. 41116

1 CC to the Government Pleader, SR.No. 41204

SR (CO)
PSI (12.08.2015)

W.P.No.24385 of 2015



WEB COPY