

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 04.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

W.P. No.27892 of 2015

S.Krishnaswamy

... Petitioner

v.

- 1 The Secretary to Government
Home(Police II) Dept.
Fort St George, Chennai-600 009.
- 2 The Commissioner of Police
Greater Chennai
Vepery, Chennai- 600 007.
- 3 The Joint Commissioner of Police
Traffic North Zone, Chennai- 600 010.
- 4 The Director General of Police
Tamil Nadu
Dr Radhakrishnan Salai
Mylapore , Chennai- 600 004. Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1-3 to pass final orders in the disciplinary proceedings initiated against him in PR No.93/2012 dated 24.9.2012 within a reasonable time.

For Petitioner : Mr.K.Venkataramani, Sr. Counsel
for Mr.M.Muthappan

For Respondents: Mr.R.Vijayakumar, A.G.P.

ORDER

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

2. The petitioner, while working as Sub Inspector (Traffic) attached to Egmore Traffic Police Station, Chennai-8, was visited with disciplinary proceedings under Rule 3(b) of the TNPSS (D&A) Rules in P.R.No.93 of 2012 for having failed to account the excess amount available and also illegible endorsement in the relevant

record. As the petitioner was attaining the age of superannuation on 30.06.2014, he was placed under suspension and also not permitted to retire vide orders dated 28.6.2014 and 30.06.2015 respectively. The departmental proceedings have also been concluded. Since no final orders have been passed, the petitioner got an information under the Right to Information Act and the office of the 2nd respondent vide communication dated 07.05.2015 informed the petitioner that charges were levelled against him have not been proved and it has been forwarded to the Government and orders are awaited.

3. Mr.K.Venkataramani, learned Senior Counsel appearing for the petitioner would submit that in the light of the fact that charges framed against the petitioner held to be not proved by the Enquiry Officer, orders exonerating should have been passed expeditiously and permit him to retire peacefully and confer him with terminal and attendant benefits and since it has not been done, the petitioner came forward to file this writ petition.

4. Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice for the respondents, would submit that orders from the Government are awaited.

5. This court carefully considered the rival submissions made by the learned counsel on either side and also perused the materials placed on record.

6. Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the 1st respondent to act on the report of the Enquiry Officer and take a decision as expeditiously as possible, and not later than within a period of eight weeks, from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

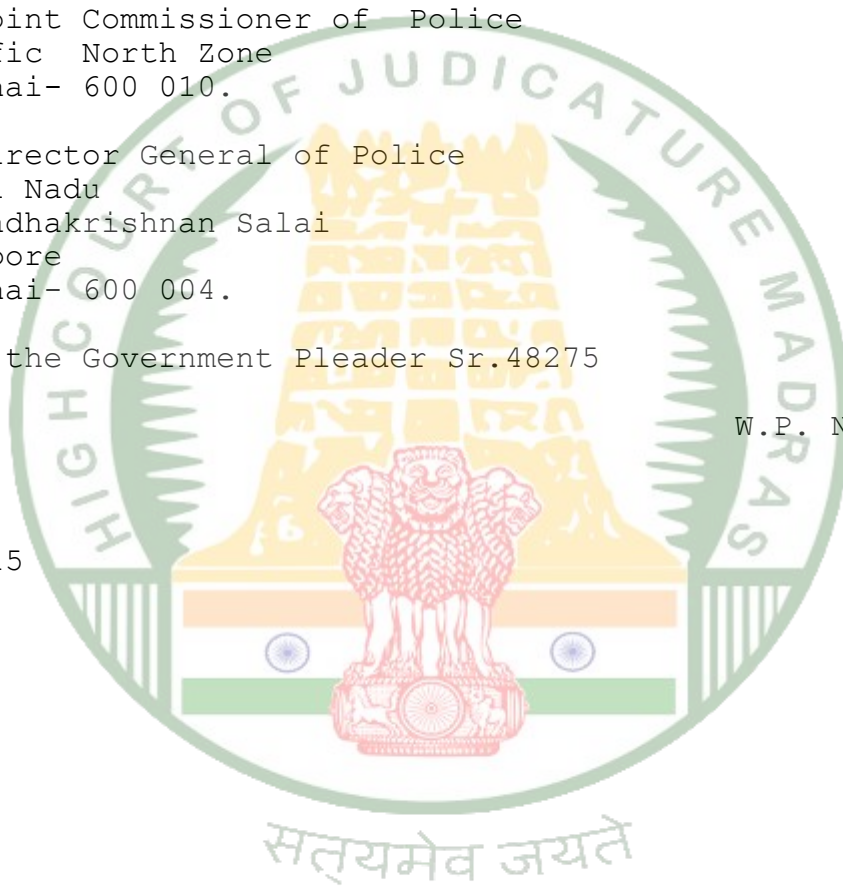
Rj

To

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- + 1 cc to the Government Pleader Sr.48275

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RJ(CO)
Eu 11.09.15



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