

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28588 of 2015

and

M.P.Nos.1 & 2 of 2015

K.Muniraj

... Petitioner

- Vs -

1. The Secretary to Government,
Cooperative Department,
St.George Fort, Chennai - 600 009.
2. The Commissioner of Sugar,
No.690, Anna Salai,
Nandanam, Chennai - 600 035.
3. The Chairman-cum-Special Officer,
Dharmapuri District Co-operative Sugar
Mills Polytechnic College,
Palacode - 636 808,
Dharmapuri District.
4. The Principal,
Dharmapuri District Co-operative Sugar
Mills Polytechnic College,
Palacode - 636 808,
Dharmapuri District.
5. The Regional Provident Commissioner,
Employees Provident Fund Organisation,
Sub Regional Office,
S.J.Plaza, Swarnapuri,
Salem - 636 004.

... Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling the impugned charge memo dated 27.06.2008 in

Na.Ka.No.1355/2008/C and Na.Ka.No.16/2015-16/Pali dated 29.06.2015 issued by the 3rd respondent and quash the same and consequently direct the third respondent to disburse the service benefits based on petitioner's representation dated 07.01.2011 with damages totalling to Rs.4,91,500/- (Rs.1,91,500/- towards service benefits and Rs.3,00,000/- towards damages).

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.R.Bala Ramesh
1 to 4 Additional Government Pleader

O R D E R

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

2. The petitioner joined as Store Keeper on 01.09.1986 at the fourth respondent college through Employment Exchange and he was promoted as Assistant during the year 1996 and got further promotion as Superintendent in the year 2006. He was issued with a charge memo dated 27.06.2008 by the third respondent and the same was received by him on 03.07.2008. After obtaining legal opinion, he was relieved and thereafter he joined as Post Graduate Teacher on 29.08.2008 and retired from service on 31.05.2014. However, with regard to the alleged delinquency, while he was in the services of the fourth respondent college, he was issued with a show cause notice and he has also submitted his reply on 27.08.2015. Since no progress is taking place, he came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.R.Bala Ramesh, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 4.

4. Though the petitioner prays for a larger relief, in the light of the facts and circumstances of the case, this Court without going into the merits of the case projected by the petitioner, directs the third respondent to consider and dispose of the reply of the petitioner dated 27.08.2015, on merits and in accordance with law and pass orders within a period of four 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. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kk

To

1. The Secretary to Government,
Cooperative Department,
St.George Fort, Chennai - 600 009.
2. The Commissioner of Sugar,
No.690, Anna Salai,
Nandanam, Chennai - 600 035.
3. The Chairman-cum-Special Officer,
Dharmapuri District Co-operative Sugar
Mills Polytechnic College,
Palacode - 636 808, Dharmapuri District.
4. The Principal,
Dharmapuri District Co-operative Sugar
Mills Polytechnic College,
Palacode - 636 808, Dharmapuri District.
5. The Regional Provident Commissioner,
Employees Provident Fund Organisation,
Sub Regional Office,
S.J.Plaza, Swarnapuri, Salem - 636 004.

+1cc to Mr.R.Bala Ramesh, Advocate, S.R.No.49509
+1cc to Mr.M.Saravana Kumar, Advocate, S.R.No.49552
+1cc to the Government Pleader, S.R.No.49572

W.P.No.28588 of 2015
and M.P.Nos.1 & 2 of 2015

TEJ(CO)
CA(18/09/2015)