

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P. NO.33198 OF 2015

G.Manoharan

.. Petitioner

Versus

1.The Principal Secretary
to Government of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai - 600 009.

2.The District Collector,
Nagapattinam.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the second respondent to pass final orders on the disciplinary proceedings initiated pursuant to Charge Memo issued in Na.Ka.No.64220/2004/21 dated 16.03.2005 within a stipulated period of time as prescribed by this Court.

For Petitioner : Mr.K.Shanmugam

For Respondents : Mr.N.Srinivasan

Additional Government Pleader

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner, while working as Village Administrative Officer in Vettaikaraniruppu Village, Keelvelur Taluk, Nagapattinam District, was visited with the disciplinary proceedings in the form of Charge Memo under Rule 17[b] of the Tamil Nadu Civil Service [Discipline and Appeal] Rules, alleging three charges, which are extracted below:

"[i] Misused the Tsunami fund to the extent of Rs.7,16,000/- and distributed the same to the undeserving persons and certain cases deceased persons without following procedures laid down for Tsunami Relief and without getting proper approval from the Firka Revenue Inspector, Zonal Deputy Tahsildar and Tahsildar and consequently brought loss to the Government.

[ii] Brought defame to the District Administration by his irresponsible act and delay in Tsunami Relief Work and

[iii] Unbecame a Government without discharging his duties properly which led to irregularities in Tsunami Relief Work."

3. The petitioner has denied the charges and submitted his explanation and not satisfied with the same, an Enquiry Officer was appointed, who vide findings dated 15.02.2006 has held that charge No.1 framed against the petitioner has been proved and by this Act, the petitioner has caused loss to the tune of Rs.5,88,000/- to the Government. The petitioner has also submitted his explanation to the findings given in the Enquiry Officer's Report.

4. The Revenue Divisional Officer of Nagapattinam District, vide proceedings dated 31.01.2014 has permitted the petitioner to retire from service without prejudice to the charges pending against him.

5. The grievance expressed by the petitioner is that though the Enquiry Officer has given his findings as early as on 15.02.2006 and that the petitioner has also submitted his explanation on 24.03.2006, no final orders have been passed and hence, came forward to file this writ petition.

6. Heard the submissions made by the learned counsel appearing for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

7. This Court, taking into consideration the limited scope of prayer sought for by the petitioner, directs the second respondent to pass final orders on the disciplinary proceedings initiated against the petitioner in accordance with law 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.

8. The Writ Petition is disposed of, accordingly. No costs.

sd/
ASSISTANT REGISTRAR (CS-V)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sri

To

1.The Principal Secretary
to Government of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai - 600 009.

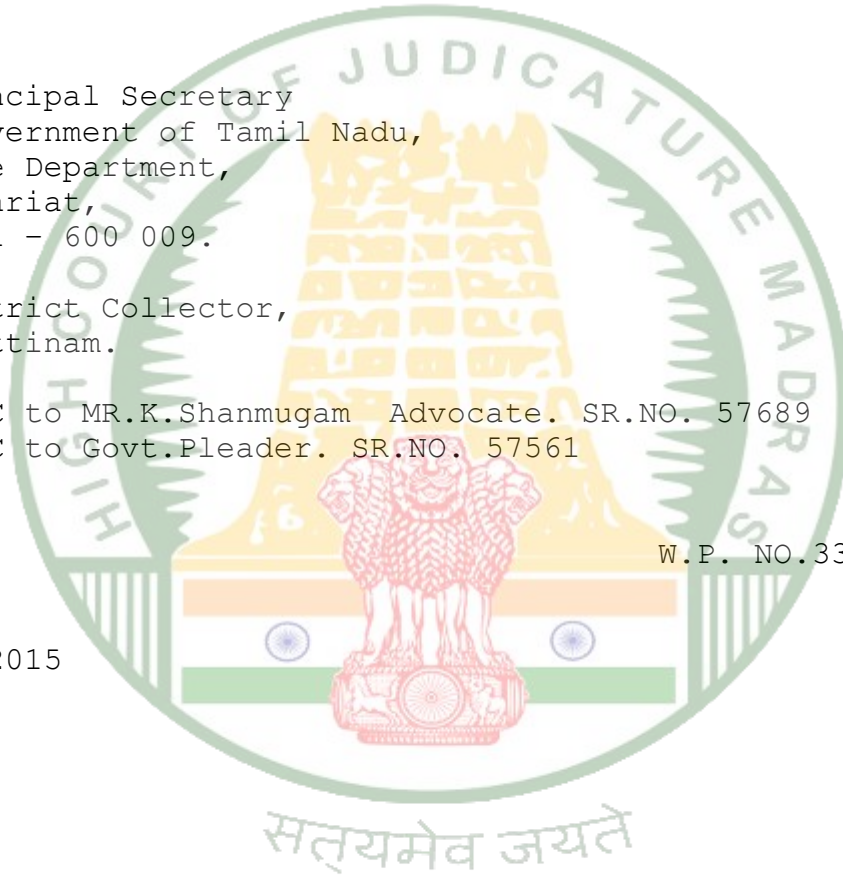
2.The District Collector,
Nagapattinam.

+1 CC to MR.K.Shanmugam Advocate. SR.NO. 57689

+1 CC to Govt.Pleader. SR.NO. 57561

W.P. NO.33198 OF 2015

CO-KGK
JD 04/11/2015



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