

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.35212 of 2015

S.Dheenadayalan

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Petitioner

Vs.

1.The Government of Tamil Nadu
represented by the Secretary to
the Government,
Rural Development &
Panchayat Raj Department
Fort St.George, Chennai - 600 009.

2.The Director of Rural Development
and Panchayat Raj Department,
Panagal Buildings, Saidapet,
Chennai - 600 015.

3. The Collector,
Nagapattinam,
Nagapattinam District.

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Respondents

Prayer:- Writ Petition filed under Article 226 of the
Constitution of India for issuance of Writ of Mandamus directing
the respondent to complete the disciplinary proceedings pending
against the petitioner pursuant to the Charge Memo issued by
the Collector, Nagapattinam (third respondent) in RC.No.6199/RD
12/2009 dated 13.01.2012.

For Petitioner

सत्यमेव जयते

Mr.P.Manoj Kumar

For Respondents

:

Mr.S.Gunasekar
Government Advocate

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ORDER

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

2. This writ petition is filed seeking for a writ of
Mandamus directing the respondents to complete the disciplinary
proceedings pending against the petitioner pursuant to the

Charge Memo issued by the Collector, Nagapattinam (third respondent) in his proceedings RC.No.6199/RD 12/2009 dated 13.01.2012.

3. The case of the petitioner is that he was appointed as Union Overseer in the Rural Development Department on 06.08.1981. Thereafter, he was promoted as Assistant Engineer in the year 2002 and further, promoted as Assistant Executive Engineer with effect from 06.03.2009. He was permitted to retire from service on attaining the age of superannuation on 28.02.2015.

4. It is the claim of the petitioner that the Collector / third respondent, Nagapattinam, initiated disciplinary proceedings against the petitioner by Charge Memo Rc.No.6199/RD 12/2009 dated 13.01.2012, while the petitioner was working as Assistant Executive Engineer, Roads & Bridges, at Nagapattinam. Mr.R.Vadivelu had been appointed as an Enquiry Officer on 14.08.2012 and after, he retired from service on 31.10.2012, another enquiry officer Mr.R.Sankar was appointed on 18.10.2012 and he concluded his enquiry on 05.02.2014. However, the respondents have not completed the disciplinary proceedings so far.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate for the respondents.

6. This Court, considering the limited prayer sought for in the writ petition and without going into the merits of the same, directs the the respondents to complete the disciplinary proceedings pursuant to charge memo dated 13.01.2012 within a period of three months, on merits and in accordance with law, 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/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

sms

To

1.The Government of Tamil Nadu
represented by the Secretary to
the Government,
Rural Development &
Panchayat Raj Department
Fort St.George, Chennai - 600 009.

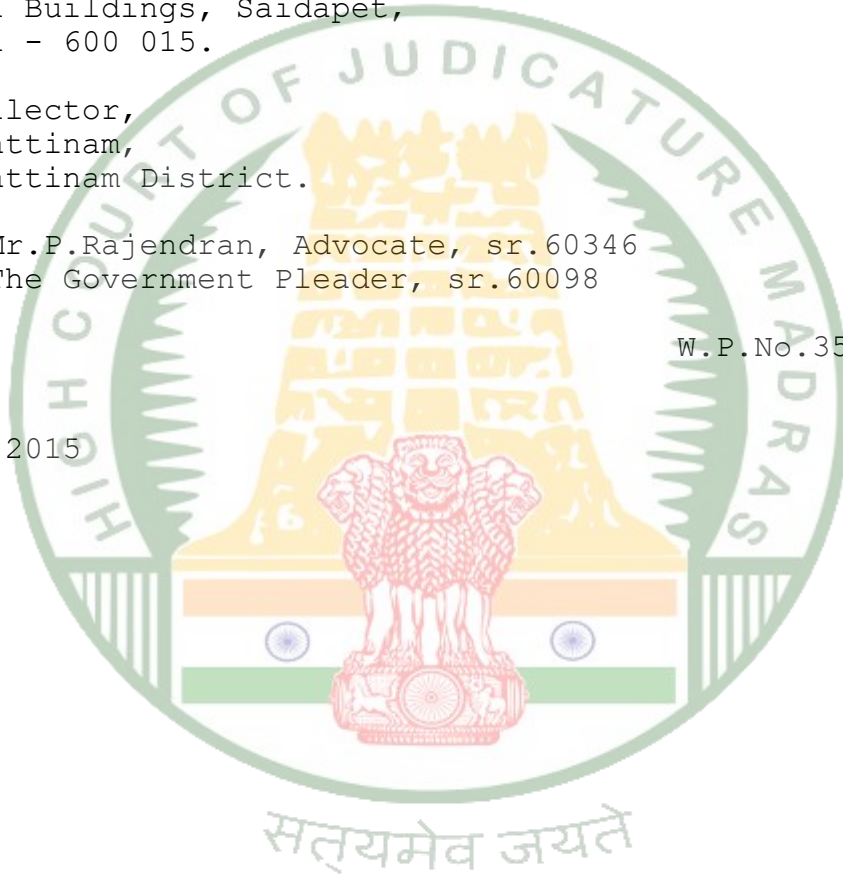
2.The Director of Rural Development
and Panchayat Raj Department,
Panagal Buildings, Saidapet,
Chennai - 600 015.

3. The Collector,
Nagapattinam,
Nagapattinam District.

+1 cc to Mr.P.Rajendran, Advocate, sr.60346
+1 cc to The Government Pleader, sr.60098

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kra 07.12.2015



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