

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.3752 of 2015

And

M.P.Nos.1 and 2 of 2015

P.A.Jamludeen

... Petitioner

Vs.

1. The Commissioner and Special  
Commissioner of Revenue Administration  
Chepauk Chennai 5
2. The District Collector  
Kancheepuram District
3. The District Revenue Officer  
Kancheepuram District
4. The Personal Assistant to  
District Collector (LA)  
Kancheepuram District
5. The Revenue Divisional Officer  
Madurantakam Revenue Division  
Maurantakam Kancheepuram District
6. The Tahsildar  
Cheyyur Taluk Cheyyur  
Kancheepuram District

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the 4th and 6th respondents covered in their official proceeding in Na.Ka. 1519/2012/A3 dt 15.5.2012 and Na. Ka. 235/2012/B.II./Dt. 8.6.2012 respectively and quash the same as not sustainable in law and consequently grant all service cum

retirement benefits along with arrears of leave salaries and other perks together with full pension benefits to the petitioner in accordance with law.

For Petitioner : Mr.P.A.Jamludeen  
Party-in-person

For Respondents : Mr.R.Vijayakumar for R2 to R6  
Additional Government Pleader

#### O R D E R

The petitioner while working as Village Administrative Officer at Kadukkalur village, was visited with a charge memo under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules alleging certain irregularities took place during the period of his tenure in respect of disbursement of aid or benefits to persons affected due to Thane cyclone at Cuddalore District on an earlier occasion on 15.05.2015. The petitioner was also issued with a charge memo under 17(a) of Tamil Nadu Civil Services (Discipline and Appeal) Rules alleging that on 15.05.2012 when public grievance day was conducted, he did not appear and also failed to bring the relevant records.

2.The petitioner/ party-in-person would submit that charge under Rule 17(a) of Tamil Nadu Civil Services (Discipline and Appeal) Rules came to be closed for the reason the period was treated as absent and insofar as the charge under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules is concerned, the same is pending and also made further submission that he was permitted to retire on attaining the age of superannuation on 30.06.2012 pending charge memo and would further add that the allegations are wholly false and concocted and charge came to be framed only with a view to harass him and prayed for quashment of the same.

3.Per contra, Mr.R.Vijayakumar, learned Additional Government Pleader would submit that the allegations are serious in nature and unless enquiry is conducted, the truth may not come out and the act of the petitioner/ party-in-person can be thrashed out only during the course of the departmental proceedings and prayed for dismissal of the writ petition.

4.This Court has carefully considered the rival submissions and also perused the materials placed before it.

5. Though the petitioner prayed for the larger relief, this Court in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the third respondent to conclude the disciplinary proceedings initiated against the petitioner in the charge memo dated 08.06.2012 in accordance with law and pass final orders 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. It is needless to say that for early completion of the proceedings, the petitioner is also expected to render his co-operation with the Enquiry Officer as well as to the disciplinary authority.

6. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

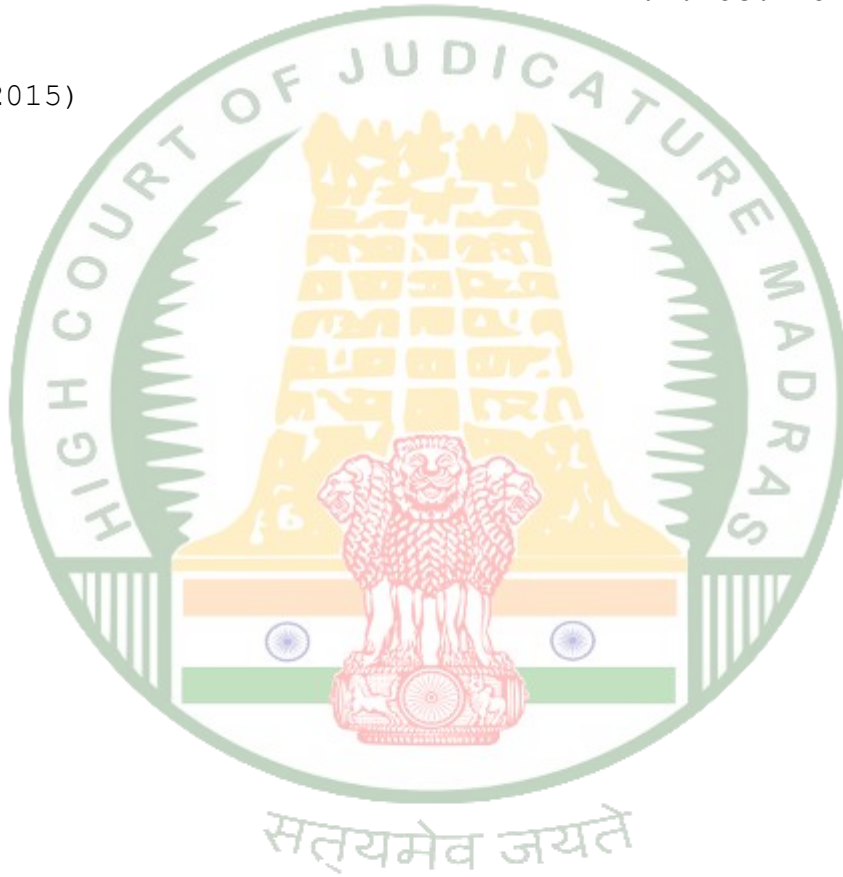
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+1cc to Mr.P.A.Jamludeen, Advocate, S.R.No.51661  
+1cc to the Government Pleader, S.R.No.51879

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LRS (CO)  
CA(02/11/2015)



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