

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.5081 of 2015
& M.P.No.1 of 2015

S.Selvaraj

... Petitioner

Vs.

1. Thiru.T.N.Venkatesh, I.A.S.,
The Enquiry Officer /
Joint Commissioner Education
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

2. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Declaration, declaring the Enquiry Proceedings of the 1st respondent vide charge memorandum G.D.C.No.E7/37152/09 dated 18.09.2009 as void and in consequence to that grant seniority from the date of his assuming the present post as in-charge that is Play Ground Instructor and producing of the 2nd respondent.

For Petitioner : Mr.K.Anbarasan
For Respondents : Mrs.Karthika Ashok

O R D E R

The petitioner is facing disciplinary proceedings initiated by the Chennai Corporation. The first respondent is the Enquiry Officer. The petitioner has come up with this Writ Petition to declare the enquiry proceedings conducted by the first respondent as void.

2. When the Writ Petition came up for hearing on 26.02.2015, the learned counsel for the petitioner, on instructions, submitted that the petitioner would be satisfied, in case a direction is issued to the respondents to conclude the enquiry as expeditiously as possible. In view of the said submission, I have directed the learned standing counsel for Chennai Corporation to take instructions with regard to the time required for disposal of the disciplinary proceedings.

3. The learned Standing Counsel, on instructions, submitted that the Enquiry Officer has already submitted his report and the proceedings would be concluded within a period of four weeks.

4. The petitioner is retiring from service on attaining the age of superannuation on 31.05.2015. In view of the fact that the petitioner is retiring shortly, necessarily the disciplinary proceedings should be concluded by the second respondent.

5. In the result, a writ in the nature of a Writ of Mandamus is issued directing the second respondent to conclude the disciplinary proceedings initiated against the petitioner as expeditiously as possible and in any case, within a period of four weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with above directions. No costs. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

ajr/ds

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To

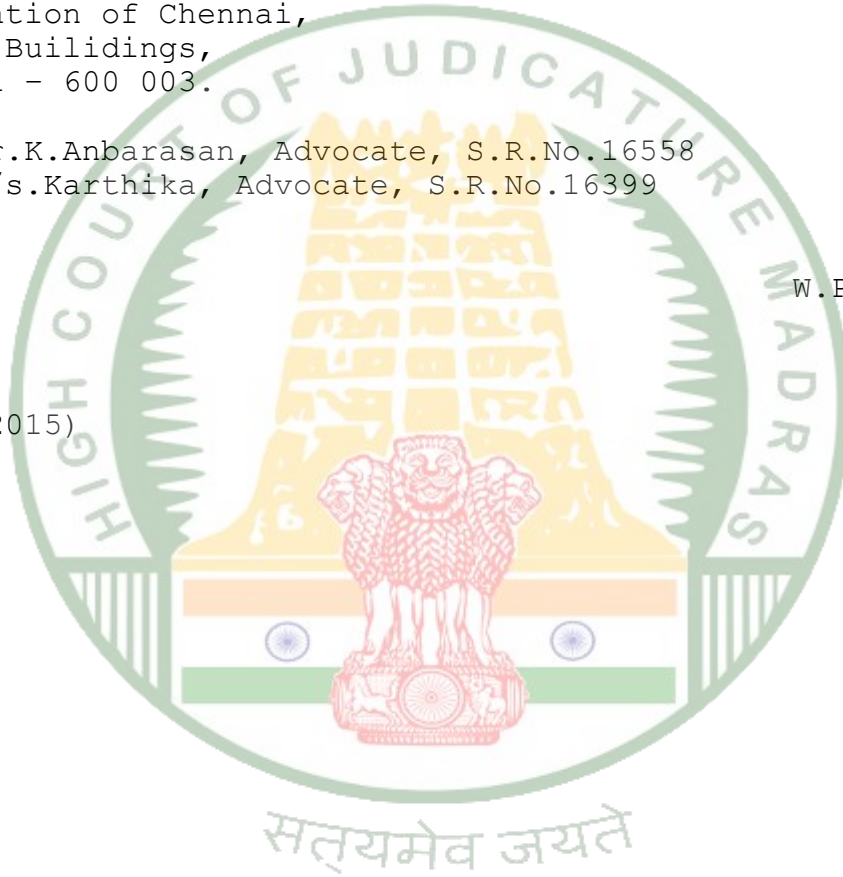
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+1cc to Mr.K.Anbarasan, Advocate, S.R.No.16558
+1cc to M/s.Karthika, Advocate, S.R.No.16399

W.P.No.5081 of 2015

TEJ(CO)
CA(30/03/2015)



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