

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.6912 of 2015  
and  
M.P.Nos.1 and 2 of 2015

L.Felix Reginald

... Petitioner

Vs.

1. The Inspector of Labour,  
151, Kamaraj Nagar 1<sup>st</sup> Street,  
P.N.Road, Tiruppur.
2. The Deputy Commissioner of Labour,  
Dr.Balasundaram Road,  
Coimbatore-18.
3. The Commissioner of Labour,  
D.M.S. Compound,  
Teynampet, Chennai 600 006.
4. Mr.Kirubakaran,  
Asst. Inspector of Labour In-charge,  
Pollachi, Coimbatore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records of the 2<sup>nd</sup> respondent, Deputy Commissioner of Labour, Coimbatore, in his proceedings No.A2/583/2015 dated 3.3.2015 and quash the same.

For Petitioner : Mr.M.Liagat Ali

For Respondents : Mr.V.Subbiah,  
Special Government Pleader  
for R1 to R3

O R D E R

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

2. The petitioner, while working as the Assistant Inspector of Labour, Pollachi was placed under suspension, vide order dated 03.03.2015, alleging that he has not remitted the compounding fees collected from the traders and thereby misappropriated the Government funds and challenging the legality of the said order, he has filed this writ petition and obtained an order of ad-interim stay on 12.03.2015.

3. The learned counsel appearing for the petitioner would submit that the allegations levelled against the petitioner are false and concocted and the second respondent is not competent to place him under suspension.

4. Per contra, Mr.V.Subbiah, learned Special Government Pleader would submit that now charge memo has been issued to the petitioner on 27.07.2015 framing charges against him and citing the pendency of the writ petition, the petitioner is deliberately delaying the process and prays for dismissal of the writ petition. It is further submitted by the learned Special Government Pleader that in pursuant to the interim order passed by this Court, the petitioner has been reinstated into service and in the event of the petitioner cooperating for expeditious conclusion of the departmental enquiry, he would not be again placed under suspension.

5. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstance, directs the petitioner to cooperate with the Disciplinary Authority for early conclusion of the disciplinary proceedings and the Disciplinary Authority is also directed to afford reasonable opportunity to the petitioner in accordance with law and conclude the disciplinary proceedings initiated against him as expeditiously as possible and not later than three months from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of accordingly. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jvm

To

1. The Inspector of Labour,  
151, Kamaraj Nagar 1<sup>st</sup> Street,  
P.N.Road, Tiruppur.
2. The Deputy Commissioner of Labour,  
Dr.Balasundaram Road,  
Coimbatore-18.
3. The Commissioner of Labour,  
D.M.S. Compound,  
Teynampet, Chennai 600 006.
4. Mr.Kirubakaran,  
Asst. Inspector of Labour In-charge,  
Pollachi, Coimbatore District.

+2cc's to Mr.M.Liagat Ali, Advocate, S.R.No.53268  
+1cc to the Government Pleader, S.R.No.53373

AD(CO)  
CA(08/10/2015)

W.P.No.6912 of 2015



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