



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2015

C O R A M

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition(MD)No.14299 of 2015

M.Mani

.. Petitioner

Vs.

1.The Agricultural Production Commissioner and
Principal Secretary to Government,
Agricultural (AA-8-(1) Department,
Secretariat,
Chennai - 600 009.

2.The Commissioner of Agriculture,
Agriculture Department,
Chepauk, Chennai - 600 005.

..Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent i.e., Agricultural Production Commissioner and Principal Secretary to Government, Chennai to pass appropriate order on the disciplinary proceedings initiated by the Commissioner of Agriculture, Chennai in his memo No.VCS/3/80792/2004 dated 19.06.2008 on merits and in accordance with law within a specified time frame that may be fixed by this Hon'ble High Court and pass such other orders as may be deemed fit and proper in the circumstances of the case and render justice.

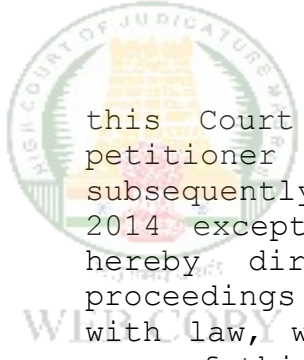
For Petitioner : Mr.S.Visvalingam
For Respondents : Mr. N.S.Karthikeyan,
Additional Government Pleader

O R D E R

The petitioner/M.Mani has filed the present writ petition seeking issuance of a Writ of Mandamus, directing the first respondent, namely, Agricultural Production Commissioner and Principal Secretary to Government, Chennai to pass appropriate order on pending disciplinary proceedings initiated by the Commissioner of Agriculture, Chennai in his memo No.VCS/3/80792/2004 dated 19.06.2008.

2. Mr.S.Visvalingam, learned counsel appearing for the petitioner would submit that the disciplinary proceedings initiated under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules, dated 19.06.2008, with regard to distribution of ground nut seeds to the agricultures in Kamudhi Taluk in the year 1999-2000 has already come to an end in the year 2014. Further, he would submit that the petitioner was allowed to retire from service without prejudice to the pending disciplinary proceedings even long back on 30.06.2008. Since the disciplinary proceedings are over, the first respondent should be directed to pass final order.

3. Mr.N.S.Karthikeyan, learned Additional Government Pleader appearing for the respondents sought for time to get instruction, but,



this Court is not inclined to grant of any more time, since the petitioner was allowed to retire from service on 30.06.2008 and subsequently, the disciplinary proceedings has come to an end in the year 2014 except passing final order. Therefore, the first respondent is hereby directed to pass appropriate orders on the disciplinary proceedings pending against the petitioner, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

The Assistant Registrar(RTI)

/True copy/

Sub-Assistant Registrar

To

1.The Agricultural Production Commissioner and
Principal Secretary to Government,
Agricultural (AA-8-(1) Department,
Secretariat,
Chennai - 600 009.

2.The Commissioner of Agriculture,
Agriculture Department,
Chepauk, Chennai - 600 005.

+1cc to Mr.S.Visvalingam, Advocate SR.No.45323
+1cc to special Government Pleader SR.No.45950

skn

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W.P. (MD) No.14299 of 2015