



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.(MD)No.15493 of 2015

R.Meena Rajasekaran

... Petitioner

Vs.

1.The Principal Secretary to Government,
Department of Registration,
St.George Fort,
Chennai.

2.The Inspector General of Registrar,
Inspector General of Registration Office,
Santhome High Road,
Chennai

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose of the petitioner's appeal dated 22.05.2015 on its file and pass such or other orders as this Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner ... Mr.M.Subash Babu

For Respondents ... MrS.Satheeshkumar

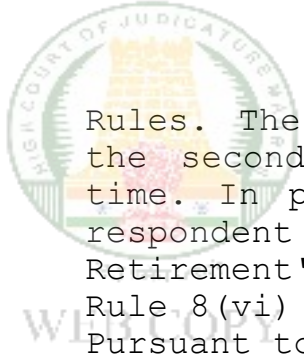
Additional Government Pleader

O R D E R

This Writ Petition has been filed by Meena Rajasekaran, who suffered by Compulsory Retirement for the offences which are said to be proved as per the Rule 8(vi) of the Tamil Nadu Civil Services (Discipline and Appeal) seeking for a direction to the first respondent to dispose of the appeal dated 22.05.2015 at an early date.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents.

3.When the petitioner was working as Sub-Registrar at Uppliyapuram, a trap proceedings was initiated against the petitioner and issued with three charges under Rule 17(b) of Tamil Nadu Civil Services(Discipline and Appeal) Rules. Thereafter, the petitioner was acquitted in S.C.No.61 of 2011 from all the charges but no order was passed in the case in C.A.No.234/ 2014 which was preferred by the Department of Vigilance and Anticorruption and in view of the disciplinary proceedings, the petitioner was suspended from service and the petitioner was not allowed to retire and the petitioner was placed in continuity of service on the basis of Rule 6(1)(c) of the Tamil Nadu Civil Services(Discipline and Appeal)



Rules. The petitioner approached this Court seeking a direction to the second respondent to make final order within the stipulated time. In pursuance of the order passed by this Court, the second respondent passed an order punishing the petitioner as 'Compulsory Retirement' for the offences which are said to be proved as per the Rule 8(vi) of the Tamil Nadu Civil Services (Discipline and Appeal). Pursuant to that, the Department passed an order recovering the 1/3rd share from the pension amount in view of Compulsory Retirement as per Rule 39 of the Tamil Nadu Pension Rules. Aggrieved by that order, the petitioner preferred an appeal before the first respondent on 21.03.2015 and the same is pending for the last six months. The petitioner sent representations dated 19.05.2015 and 22.05.2015 seeking to dispose of the appeal. Since no order has been passed, the petitioner is before this Court.

4.Considering the limited prayer made by the petitioner, this Court directs the first respondent to dispose of the appeal dated 21.03.2015 within a period of three weeks from the date of receipt of a copy of this order on merits.

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

Sd/-

Assistant Registrar(J)

/True Copy/

Sub-Assistant Registrar

To

1.The Principal Secretary to Government,
Department of Registration,
St.George Fort,
Chennai.

2.The Inspector General of Registrar,
Inspector General of Registration Office,
Santhome High Road,Chennai.

+One cc to Mr.M.Subas Babu, Advocate, SR.No.49726

+One cc to The Special Government Pleader, SR.No.50047

ses

RL/5 c- 29/9/2015

W.P. (MD) No.15493 of 2015

27.08.2015