



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2015

C O R A M

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.17537 of 2015

S.Mayan

.. Petitioner

Vs.

1.Agricultural Production Commissioner
and Secretary to Government,
Fort St. George, Chennai - 9.

2.The Chief Engineer,
Agricultural Engineering Department,
No.487, Anna Salai, Nandanam,
Chennai - 35.

..Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents to complete the disciplinary proceedings initiated pursuant to the charge memo issued by the second respondent in his proceedings No.O.Na.3/64535/2015 dated 26.06.2014.

For Petitioner : Mr.V.P.Rajan

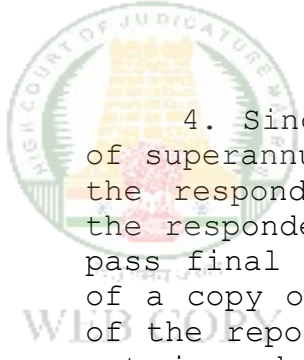
For Respondents : Mr.S.Sathish Kumar
Additional Government Pleader

ORDER

The petitioner has come to this Court seeking a limited prayer to direct the respondents to complete the disciplinary proceedings initiated against him pursuant to the charge memo issued by the second respondent, dated 26.06.2014.

2. Heard the learned counsel for the petitioner. Mr.S.Sathish Kumar, learned Additional Government Pleader takes notice for the respondents.

3. The learned counsel for the petitioner would submit that on completion of the enquiry, the Enquiry Officer has submitted the report. Therefore, there would not be any impediment to direct the respondents to complete the enquiry, however, the learned counsel for the petitioner submitted that the petitioner has not been issued with second show-cause notice along with the copy of the report of the Enquiry Officer. At this stage, the petitioner has come to this Court.



4. Since the petitioner retired from service and he reached the age of superannuation, this Court finds that there is no impediment to direct the respondents to complete the disciplinary proceedings. Accordingly, the respondents are directed to complete the disciplinary proceedings and pass final order within a period of six months from the date of receipt of a copy of this order. It is also made clear that after the submission of the report of the Enquiry Officer, if the second show-cause notice is not issued, they shall also issue the same and in turn the petitioner shall submit his written explanation along with report of the Enquiry Officer and it is for the disciplinary authority to decide the same on merits and in accordance with law.

5. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

ps

To

1.Agricultural Production Commissioner
and Secretary to Government,
Fort St. George, Chennai - 9.

2.The Chief Engineer,
Agricultural Engineering Department,
No.487, Anna Salai, Nandanam,
Chennai - 35.

+1CC to Mr.V.P.Rajan Advocate Sr.No.57704
+1CC to Spl.Government Pleader Sr.No.57470

GJM/KBM/27.10.15-2P-5C

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