



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2015

C O R A M

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.17561 of 2015

N.Rajasekaran Nair

.. Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. By its Secretary,
Municipal Administration and
Water Supply (ME-2) Department,
Fort St. George, Secretariat,
Chennai - 600 009.

2.The Commissioner,
Municipal Administration,
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 respondents to pass final orders on the charge memo passed by the second respondent in Na.Ka.No.29948/2004/F 1-2, dated 30.08.2004.

For Petitioner	: Ms.J.Nisha Banu
For Respondents	: Mr.K.P.Krishnadass Government Advocate

ORDER

The petitioner has come to this Court seeking a Writ of Mandamus, directing the disciplinary authority to pass final orders on the pending departmental proceedings, which has already come to an end about 8-1/2 years ago.

2. Heard the learned counsel for the petitioner. Mr.K.P.Krishnadass, learned Additional Government Pleader takes notice for the respondents.

3. The learned counsel for the petitioner would submit that the petitioner was subjected to departmental proceedings initiated under 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules. Finally, the Enquiry Officer, on completion of the enquiry, has submitted his report on 07.12.2006 and the copy of the same was communicated to the petitioner on 03.12.2007. On



receipt of the second show-cause notice, dated 17.12.2007, the petitioner also submitted his detailed written representation. However, the respondents have not come forward to pass final orders.

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4. The learned Government Advocate, who took notice for the respondents, sought for a reasonable time to pass orders on the disciplinary proceedings.

5. As per the report of the Enquiry Officer submitted on 07.12.2006 and as the petitioner has also submitted his written explanation, this Court finds that there is no impediment to direct the first respondent to pass final orders considering the charge-memo, explanation and report of the Enquiry Officer and the written representation given by 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.

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

Sd/-

Assistant Registrar(Per Admn)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary,
Government of Tamil Nadu,
Municipal Administration and
Water Supply (ME-2) Department,
Fort St. George, Secretariat, Chennai - 600 009.

2.The Commissioner,
Municipal Administration,
Chepauk, Chennai - 600 005.

+1cc to Mr.J.Nisha Banu,Advocate Sr.No. 57968

+1cc to Spl.GOvernemnt Pleader Sr.No. 57518

ps

AA/SKS-RR/27.10.2015/2p-5c

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