



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.04.2015

CORAM:

THE HONOURABLE Mr. JUSTICE S.VAIDYANATHAN

W.P.(MD)No.7314 of 2015

and

M.P.(MD)No.2 of 2015

M.Subramanian

... Petitioner

Vs.

1.The Principal Secretary,
Government of Tamil Nadu,
Rural Development and Panchayat Raj (E4) Department,
St.George, Fort,
Chennai 600 009.

2.The Director of Rural Development Department,
Panagal Building,
Saidapet,
Chennai 600 015.

3.The District Collector,
Ramanathapuram District.

4.The Block Development Officer (VP),
R.S.Mangalam, Panchayat Union,
Ramanathapuram District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned 17(a) charge memo issued by the 3rd respondent in Na.Ka.V5/62762/2014 dated 24.12.2014 and consequently, direct the respondents to disburse all retirement benefits to the petitioner within a time frame as fixed by this Court.

For Petitioner : Mr.R.Gowrishankar

For Respondents : Mr.R.Velmurugan, G.A.for R1 to 3
Mr.G.Muruganantham, G.A.for R4

O R D E R

This Writ petition has been filed to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned 17(a) charge memo issued by the 3rd respondent in Na.Ka.V5/62762/2014, dated 24.12.2014 and consequently, direct the respondents to disburse all retirement benefits to the petitioner within a time frame as fixed by this Court.



2.The case of the petitioner is that while he was working as Deputy Block Development Officer and he retired from service on 31.12.2014 without prejudice to the impugned 17(a) charge memo dated 24.12.2014. The contention of the petitioner is that in order to wreck vengeance, the third respondent has issued the said charge memo and the same has been issued before five days from the date of attaining superannuation.

3.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

4.Since enquiry is pending against the petitioner, this Court is not inclined to go into veracity of the averments made in this Writ petition. Therefore, while declining the relief sought by the petitioner, it is observed that placing an employee under suspension for a longer period cannot be permissible in law and the respondent shall act as expeditiously as possible in this matter and try to complete the proceedings, as prolonged suspension is not going to help any one much less the respondents.

5.Considering all the facts and circumstances, the following order is passed:

a) The disciplinary proceedings initiated against the petitioner shall be completed and final order shall be passed within a period of six months from the date of receipt of a copy of this order and the enquiry shall be conducted on day-to-day basis, and even on holidays.

b) The petitioner shall be paid all the retirement benefits within a period of four weeks from the date of the outcome of the disciplinary proceedings, based on the orders to be passed by the Authorities.

6.With these directions, the writ petition is disposed of. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

nbj

TO

1.The Principal Secretary,
Government of Tamil Nadu,

Rural Development and Panchayat Raj (E4) Department,

Secy, Government, Chennai

Chennai 600 009.



2.The Director of Rural Development Department,
Panagal Building,
Saidapet,
Chennai 600 015.

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3.The District Collector,
Ramanathapuram District.

4.The Block Development Officer (VP),
R.S.Mangalam, Panchayat Union,
Ramanathapuram District.

+1cc to MR.R.Gowrishankar, Advocate in sr No.24064

+1cc to Special Government Pleader in Sr No.24806

W.P. (MD) No.7314 of 2015
29.04.2015

rg.18.06.2015

3p/7c