

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11366 of 2016

N.C.Muthusamy

.. Petitioner

-vs-

The District Collector (PD Section)
Salem District
Salem

... Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to conclude the disciplinary proceedings initiated against the petitioner vide Na.Ka.No.18340/2013/A2 dated 27.05.2014 within a period of three weeks or any other time limit as this Hon'ble Court may deem fit and proper.

For Petitioner ::Mr.V.Suthakar

For Respondent ::Mr.S.Gunasekaran
Additional Government Pleader

ORDER

The petitioner, having been subjected to the departmental enquiry pursuant to the issuance of the charge memo on 27.5.2014 by the respondent, after giving his explanation on 9.6.2014, suffered again an order of suspension on 30.5.2015. In the meanwhile, since the enquiry officer submitted his report on completion of the enquiry on 20.4.2015, the petitioner was issued with a show cause notice dated 8.8.2015 calling upon him to submit his written representation to the report of the enquiry officer and that the petitioner has also submitted his written representation to the enquiry report on 28.8.2015. In this background, the petitioner has come to this Court seeking a direction to the respondent to pass final orders on the disciplinary proceedings, as he had already reached the age of superannuation on 31.5.2015, so as to enable him to get the retiral benefits.

2. Mr.S.Gunasekaran, learned Additional Government Pleader, taking notice on behalf of the respondent, sought sufficient time to pass final orders on the pending disciplinary proceedings, in view of the on-going election process.

3. This Court, considering the fact that the petitioner reached the age of superannuation on 31.5.2015 and that he has also submitted his written representation to the respondent on 28.8.2015 with regard to the enquiry officer's report dated 20.4.2015, hereby directs the disciplinary authority to pass final orders on merits and in accordance with law, in respect of the disciplinary proceedings initiated against the petitioner, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

The District Collector (PD Section),
Salem District,
Salem.

+1cc to Mr.V.Suthakar, Advocate, S.R.No.20284
+1cc to the Government Pleader, S.R.No.19384

सत्यमेव जयते

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scd(CO)
srg(13/04/2016)

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