

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.20394 of 2016

Asaithambi

.. Petitioner

vs

1. Government of Tamil Nadu
rep.by its Principal Secretary
Commercial Taxes and Registration
Fort St.George
Chennai 600 009.

2. The Inspector General of Registration
Registration Department
No.100, Santhome High Road
Chennai 600 007.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to pass final order upon the enquiry concluded on 25.02.2013.

For Petitioner : Mr.K.Bhasker

For Respondents : Mr.K.Rajendra Prasad
Government Advocate

ORDER

By consent, the writ petition is taken up and disposed of at the admission stage itself.

2. Mr.K.Rajendra Prasad, the learned Government Advocate takes notice on behalf of the respondents.

3. The prayer in the writ petition is for the issuance of writ of mandamus to direct the first respondent to pass final order upon the enquiry concluded on 25.02.2013.

4. The case of the petitioner is that while he was working as a Sub-Registrar in the cadre of District Registrar at Anna

Nagar, Chennai during the year 2011 and when he was about to retire on 31.01.2011, he was issued with a charge memo contemplating disciplinary enquiry vide proceedings of the second respondent dated 25.01.2011 on the ground that he was alleged to have incurred stamp loss to the Government. Therefore, he was not allowed to retire on his attaining the age of superannuation. Thereafter, enquiry officer was appointed on 16.06.2011; after conclusion of the enquiry on 25.02.2013, report was also submitted. Again the first respondent vide his order dated 27.02.2014 gave one more opportunity to the petitioner to give his explanation based on the said enquiry report. Hence, the petitioner submitted a representation dated 07.05.2014 to the first respondent and reminder on 09.05.2016. However, till date no final order has been passed by the first respondent based on the conclusion of the enquiry. Hence, the present writ petition.

5. The learned Government Advocate appearing on behalf of the respondents would submit that the first respondent is the authority to consider the case of the petitioner and he may be directed to consider representation of the petitioner dated 09.05.2016, within a stipulated time.

6. Taking into consideration the fact that the enquiry proceedings have been completed as early as in the year 2013 and till date no final order has been passed, the first respondent is directed to pass final orders on the same by considering the representation of the petitioner, dated 09.05.2016 within a period of three months' from the date of receipt of a copy of this order.

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

Sd/-
सत्यमेव जयते

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vj2

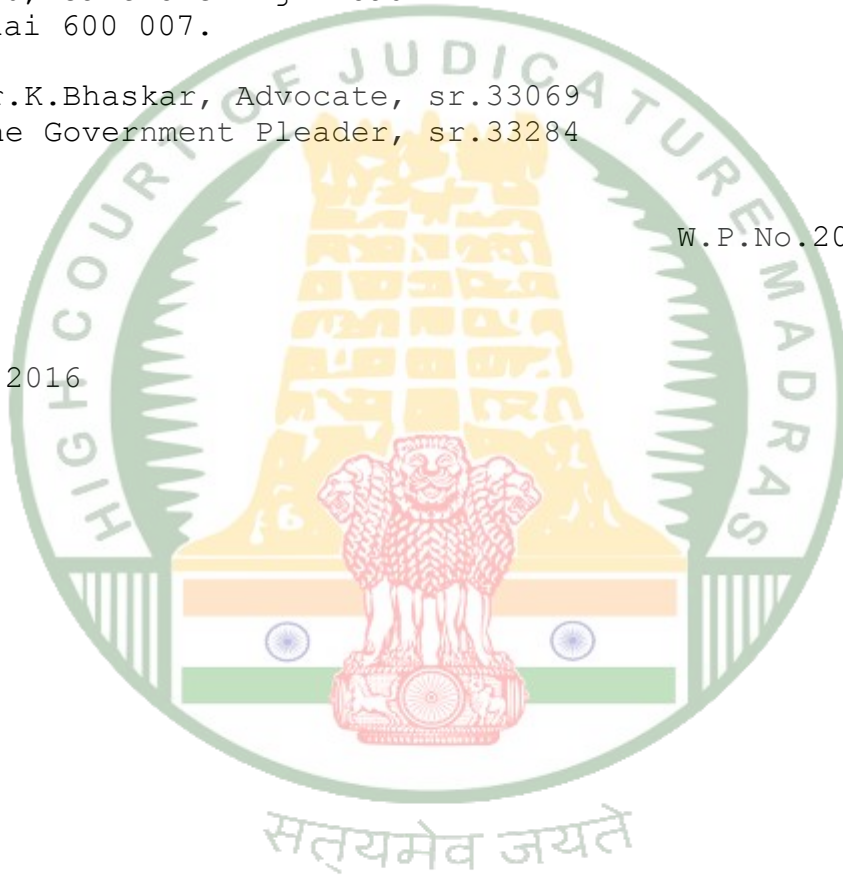
To

1. The Principal Secretary
to Government of Tamil Nadu
Commercial Taxes and Registration
Fort St.George
Chennai 600 009.
2. The Inspector General of Registration
Registration Department
No.100, Santhome High Road
Chennai 600 007.

1 cc to Mr.K.Bhaskar, Advocate, sr.33069
1 cc to The Government Pleader, sr.33284

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gj ii co
kra 13.07.2016



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