

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.2105 of 2016

S.Muthukumaravel

.. Petitioner

-vs-

1.The Secretary to Government,  
Revenue Department.  
Secretariat, Chennai-9.

2.The Additional Chief Secretary/  
Commissioner of Revenue Administration,  
Chepauk, Chennai-5.

3.The District Collector,  
Tiruvarur, Tiruvarur District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first respondent to dispose of the petitioner's representation dated 07.01.2013.

For Petitioner : Mr.S.Vijayakumar

For Respondents: Mr.S.Gunasekaran,  
Additional Government Pleader

O R D E R

The petitioner has come to this Court, seeking a direction to the first respondent to dispose of his representation dated 07.01.2013.

2.The grievance of the petitioner is that he joined as Junior Assistant on 09.08.1993 in the Revenue Department on compassionate appointment on account of the death of his father, who served as Office Assistant, Taluk Office, Nannilam. He is now working as Assistant, Special Deputy Collector's Office, Revenue Court, Tiruvarur. While so, he was subjected to disciplinary proceedings in TDP No.5/09, on the basis of the vague allegations in the year 2006. He has participated in the disciplinary proceedings by submitting his detailed explanation on 31.01.2011. On 09.11.2012, the first respondent herein vide letter No.8791/Ser.2(1)/2011-3, issued a show cause notice to

the petitioner, enclosing the report of the Commissioner, Trichy, to submit his explanation. On receipt of the letter, he submitted a detailed explanation on 07.01.2013 to the first respondent. Finding no response, he has come to this Court.

3.Learned counsel appearing for the petitioner would submit that detailed explanations have been filed by the petitioner on 31.01.2011 and 07.01.2013. But till date the respondents have failed to pass final orders. Since the petitioner's juniors have already got the benefit of further promotion, the petitioner has come to this Court seeking a direction to the first respondent to pass final orders on the pending disciplinary proceedings.

4.Heard the learned counsel appearing for the petitioner as well as Mr.S.Gunasekaran, learned Additional Government Pleader, who takes notice on behalf of the respondents, sought time to file counter.

5.This Court finds no justification for granting time to file counter. As the petitioner has given his detailed explanation on 31.01.2011 and 07.01.2013 to the enquiry report, the first respondent is bound to pass a final order, on merits. Therefore, the first respondent is directed to pass final orders, on merits and in accordance with law, by completing the disciplinary proceedings, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,  
Revenue Department.  
Secretariat, Chennai-9.

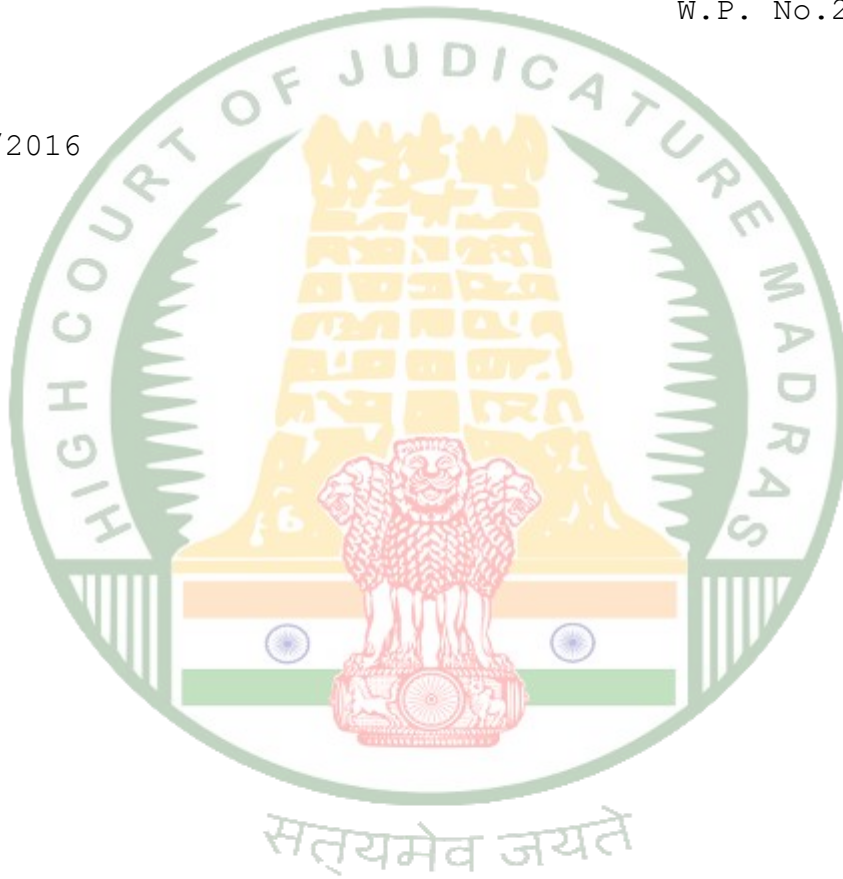
2.The Additional Chief Secretary/  
Commissioner of Revenue Administration,  
Chepauk, Chennai-5.

3.The District Collector,  
Tiruvarur,  
Tiruvarur District.

+1cc to the Government Pleader Sr.26796  
+1cc to Mr.S.Vijakumar, Advocate sr.26537

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srg 27/05/2016



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