

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-06-2016

Coram

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Writ Petition No.21561 of 2016

C.Deivanayagam

.. Petitioner

Vs.

1.The Director of Town Panchayats
Kuralagam
Chennai.

2.The Secretary to Government of Tamil Nadu
Municipal Administration and Water Supply Department
Fort St.George
Chennai.

.. Respondents

Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus, to direct the respondents to conclude the disciplinary proceedings initiated against the petitioner herein vide Charge Memo Letter No.4271/2013/A4, dated 28.09.2013 and pass final orders, within a period of two months or within a time frame to be fixed by this Court and pass such further orders as may be deem fit.

For Petitioner :Mr.V.Vijay Shankar

For Respondents :Mr.M.S.Ramesh
Additional Government Pleader

O R D E R

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to conclude the disciplinary proceedings initiated against the petitioner vide, charge memo, dated 28.09.2013, and to pass final orders, within a time frame.

3. The petitioner, while he was working as Assistant Director of Town Panchayat, was issued with a charge memo by the

1st respondent, on 28.09.2013, for which, the petitioner has given his explanation. Subsequently, an Enquiry Officer was appointed and the enquiry proceedings have commenced, but, till date, it has not been completed. Hence, the present Writ Petition.

4. Mr.V.Vijay Shankar, the learned counsel for the petitioner would submit that the enquiry proceedings have commenced way back in 2013, but, till date, it has not been completed. He would further submit that the petitioner is prepared to co-operate with the enquiry proceedings and he seeks for a direction to complete the enquiry proceedings within a time frame.

5. Mr.M.S.Ramesh, the learned Additional Government Pleader, would submit that if the petitioner co-operates, the enquiry proceedings will be completed within a period of six months.

6. Considering the above submissions of either side, this Court, directs the 1st respondent, who is the disciplinary authority, to conclude the disciplinary proceedings and to pass final orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order. If there is subsistence allowance due and payable to the petitioner, the same shall be paid in accordance with the Rules, forthwith. The undertaking given by the learned counsel for the petitioner that the petitioner will co-operate with the enquiry proceedings is recorded. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

7. The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petitions are closed. No costs.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

paa

To

1.The Director of Town Panchayats
Kuralagam
Chennai.

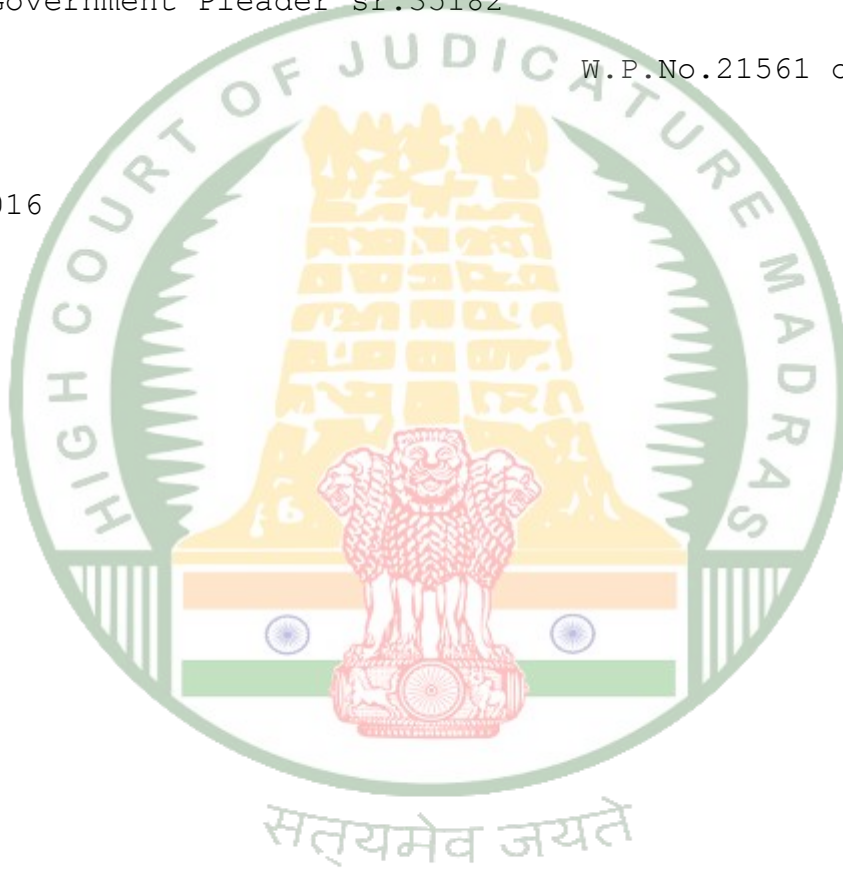
2.The Secretary to Government of Tamil Nadu
Municipal Administration and Water Supply Department
Fort St.George
Chennai.

+1 cc to V.Vijay Shankar Advocate vide sr.35340

+1 cc to Government Pleader sr.35182

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