

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.24783 of 2016 &
WMP.No.2118 of 2016

K.Sundararajan

Petitioner

Vs

- 1.The Special Commissioner and Commissioner of
Land Administration, Kuralagam, Chepauk, Chennai-5
- 2.The Principal Accountant General
(Accounts and Entitlements) Tamil Nadu,
No.381, Anna Salai, Chennai-18
- 3.The District Revenue Officer, Salem
- 4.The Revenue Divisional Officer
Athur 636 102, Salem District.

Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings in charge memo in Rc.No.16279/94.A1, dated 24.12.1994 on the file of the 3rd Respondent herein and to quash the same and to direct the Respondents 3 and 4 to take all appropriate steps to revoke the order of suspension passed as against the Petitioner, to reinstate the Petitioner to his services as the Village Administrative Officer, allow him to retire with effect from 30.06.2004, and pay him all his monetary benefits including the arrears of pay with effect from 13.12.1994 and all pension, gratuity and other attendant benefits as accrued to him, within a time frame as may be fixed by this Hon'ble Court and to pass such further or other orders.

For Petitioner : Mr.P.Raja

For Respondent : Mr.A.Kumar, Spl.Govt.Pleader

ORDER

In this Writ Petition, the Petitioner seeks to quash charge memo dated 24.12.1994 and to direct the Respondents 3 and 4 to take all appropriate steps to revoke the order of suspension passed as against the Petitioner and to reinstate

the Petitioner in service as the Village Administrative Officer and allow him to retire with effect from 30.06.2004 and pay him all his monetary benefits including the arrears of pay with effect from 13.12.1994.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The Petitioner has been charge sheeted in the year 1994 and he retired in 2004, but till date he has not been allowed to retire and further, enquiry has also not been completed. It is brought to the notice of this court that the Petitioner has also been acquitted of the criminal charges by the criminal court as early as on 30.8.2007, which was also informed to the concerned authority. Even thereafter, no steps have been taken to allow the Petitioner to retire nor to pay the terminal benefits.

4. Though a larger prayer has been asked for by the Petitioner, now he pleads that at least the enquiry may be ordered to be completed within two months, so that the Petitioner can see the light of the day after the long period of 12 years.

5. The learned Special Government Pleader for the Respondents would state that they will take immediate steps for conducting the enquiry and to complete it as expeditiously as possible.

6. In view of the limited prayer now sought for by the learned counsel for the Petitioner, the Respondents are directed to complete the enquiry if still there is any case against the Petitioner, taking into consideration the fact that he was acquitted from the criminal charges and the inordinate delay, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that whatever the amount due and eligible, de hors the charge memo, to be paid will also be paid to the Petitioner.

7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected MP is closed.

Srcm

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To:

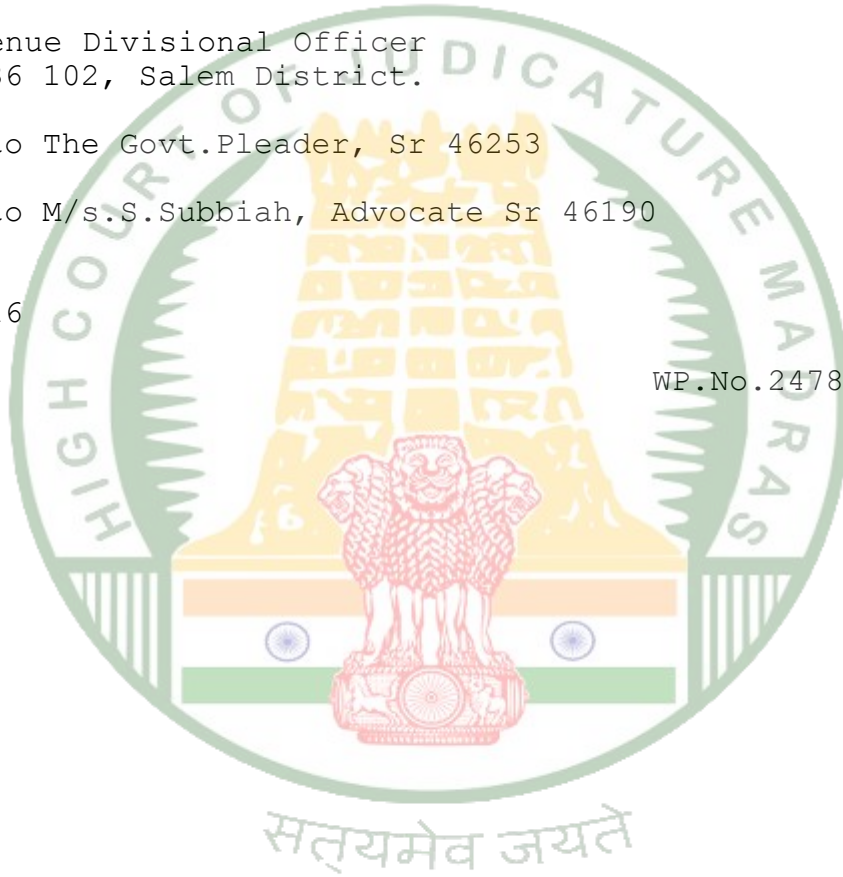
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+ 1 cc to The Govt.Pleader, Sr 46253

+ 1 cc to M/s.S.Subbiah, Advocate Sr 46190

KR/6/9/16

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