

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.3024 of 2016

D.Amudha Emily Bai

... Petitioner

Vs.

1. The Secretary to Government,
Finance (T & A) Department,
Fort St. George, Chennai 600 009.
2. The Director of Treasuries and Accounts,
Saidapet, Chennai 600 015. ... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the respondents 1 and 2 to pass final orders in the disciplinary proceedings initiated against the petitioner in Memo No.Na.Ka.No.25426/2010/Q3/7, dated 31.12.2010, within a reasonable time.

For Petitioner : Mr.K.Venkataramani, Senior Counsel
for Mr.M.Muthuppan

For Respondent : Mr.A.Kumar,
Special Government Pleader

O R D E R

By consent of both parties, the main writ petition itself is taken up for final hearing.

2. The petitioner joined the Government service on 23.04.2004, as Junior Assistant in District Treasury, Nagercoil. After sometime, she was transferred to Sub Treasury, Karingal. In 2010, the District Treasury, Nagercoil, has preferred a complaint against one Tmt.S.Jayadevi, for misappropriation of funds and the same was registered as Crime No.49 of 2010, dated 07.06.2010, on the file of the District Crime Branch, Kanyakumari District, for the offences, under Sections 477A, 409, 468, 471 and 420 IPC. Subsequently, on 08.06.2010, an enquiry officer was appointed, to find out, as to whether, any other officer had been involved in the said misappropriation of funds. Accordingly, the said officer has filed a report,

implicating eight officials, including the petitioner. In view of the same, the petitioner has been suspended and a charge memo, under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, containing four charges, was issued, for which, the petitioner gave his explanation on 05.02.2011. Thereafter, the enquiry officer has conducted the enquiry on 24.11.2011 and submitted his report on 15.06.2012. Thereafter, the delinquent officers have been given a reasonable opportunity and finally, the Government have passed orders, in respect of all the delinquent officers, except the petitioner. Therefore, the petitioner has come up before this Court, with a prayer for a Mandamus, directing the respondents 1 and 2 to pass final orders in the disciplinary proceedings initiated against the petition in Memo No.Na.Ka.No.25426/2010/Q3/7, dated 31.12.2010, within a reasonable time.

3. Mr.K.Venkataramani, learned Senior Counsel appearing for the petitioner submitted that except the petitioner, the disciplinary authority has passed final orders, in respect of other co-delinquents.

4. Mr.A.Kumar, learned Special Government Pleader appearing for the respondents submitted that within six weeks' time, the case of the petitioner would be considered for passing final orders, on merits.

5. Considering the fact the disciplinary authority has already passed final orders, in respect of other co-delinquents, this Court grants four weeks' time, from the date of receipt of a copy of this order, to pass final orders, on the charges framed against the petitioner.

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

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Finance (T & A) Department,
Fort St. George, Chennai 600 009.
2. The Director of Treasuries and Accounts,
Saidapet, Chennai 600 015.

+lcc to Mr.M.Muthappan, Advocate, S.R.No.6827
+lcc to the Government Pleader, S.R.No.6890

Writ Petition No.3024 of 2015

mp(CO)
srg(11/03/2016)



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