

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.33288 of 2016

K.Rajan

... Petitioner

Vs.

1. The District Collector,
Inspector of Municipalities,
Nagapattinam.

2. The Regional Development Officer,
Keelvelur Circle,
Nagapattinam District.

3. The Assistant Director,
Local Fund Audit,
Nagapattinam.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's representation dated 24.04.2016 in the manner known to law.

For Petitioner : Mr.K.V.Sajeev Kumar

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

सत्यमेव जयते

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's representation dated 24.04.2016 in the manner known to law.

3. The case of the petitioner is that he joined in the services of the 2nd respondent as Rural Welfare Officer on

06.04.1990. Thereafter, he was promoted to the post of Block Development Officer and at the time of his retirement, he was holding the post of Regional Development Officer. While so, between 09.05.2012 and 01.04.2013, when he was working as Regional Development Officer, Nagapattinam, the respondents levelled various allegations against him and issued charges under 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. There were almost 11 charges framed against him. In fact, all the charges related to issuance of cheques under different heads where the funds were utilized only for the purpose for which it was allocated. The petitioner has given a detailed reply on 30.08.2013 itself for the charges levelled on 12.08.2013.

4. Subsequently, the petitioner was suspended and after holding enquiry, the Enquiry Officer has submitted his report dated 02.05.2014 stating that all the charges were proved. Thereafter, the 1st respondent call for the explanation of the petitioner to the report submitted by the Enquiry Officer and the petitioner has also submitted his explanation. In the meanwhile, the petitioner attained the age of superannuation and he was permitted to retire from the service. But he was not paid the retirement benefits. In this regard, the petitioner has sent a representation dated 24.04.2016 to the 1st respondent. But, so far, the same has not been considered. Hence the present Writ Petition.

5. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader, who takes notice on behalf of the respondents.

6. Considering the facts and circumstances of the matter and also considering the limited prayer made in the Writ Petition, this Court directs the petitioner to send a copy of the representation dated 24.04.2016 along with a copy of this Order to the 1st respondent within a period of two weeks from the date of receipt of a copy of this Order and on receipt of the same, the 1st respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of four weeks thereafter.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

tsi

To

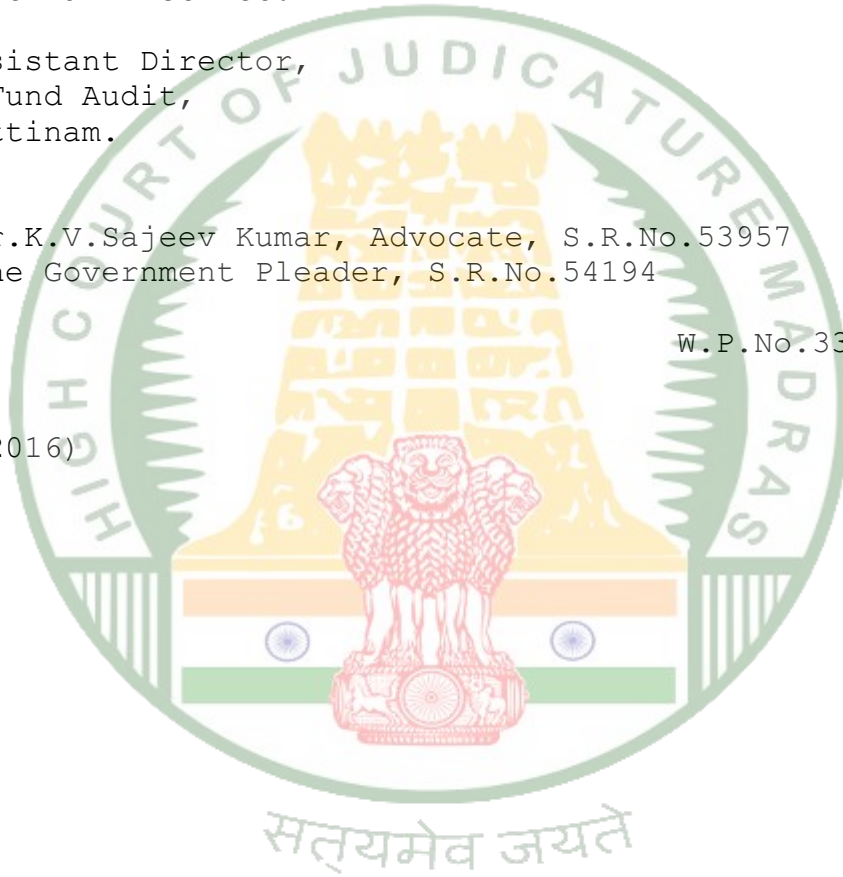
1. The District Collector,
Inspector of Municipalities,
Nagapattinam.
2. The Regional Development Officer,
Keelvelur Circle,
Nagapattinam District.
3. The Assistant Director,
Local Fund Audit,
Nagapattinam.

+1cc to Mr.K.V.Sajeev Kumar, Advocate, S.R.No.53957

+1cc to the Government Pleader, S.R.No.54194

W.P.No.33288 of 2016

AD(CO)
CA(01/11/2016)



WEB COPY