

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2016

CORAM

THE HON'BLE Mr. JUSTICE M.SATHYANARAYANAN

W.P.No. 42762 of 2016

S.Manimekalai

...Petitioner

-Vs-

The Managing Director
Tamilnadu textbook Educational Services Corporation,
EVK Sampath Building
College Road,
Chennai - 600 006

...Respondents

This petition is filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondent to pass appropriate orders on the disciplinary proceedings initiated against the petitioner in Memo No.Rc.No.3149/A1/2015 dated 11.06.2015 within the time frame fixed by this Court.

For Petitioner : Mr.S.Sathia Chandran
For Respondent : Mr.K.Dhananjeyan,
Spl.G.P.

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner who was working as a Superintendent in the service of the respondent, initially made a challenge to the order of transfer dated 09.04.2015 by filing W.P.No.11906 of 2015, in which, stay of order of transfer was granted and the petitioner joined the duty in the very same place on 08.05.2015. According to the petitioner, infuriated by the filing of the writ petition, the respondent has initiated the departmental proceedings and issued a charge memo dated 11.06.2015 framing the following charges.

Charge-I:

When 80% of the printing charges due to M/s. Jayaram Printers, Keelkatalai Chennai, who printed 180700 copies of Term-1 - Vol.2 (Maths, science & Social science) text books

(Tamil medium) covered by the print order No.192/14 given to them in this office reference R.c.No.862/PS1/2014 dt: 17.02.2014 had already been cleared by this office in voucher No.61 dt: 27.03.2014, in utter disregard of this there was an attempt to make full payment of printing charges to this printer when the amount to be settled was only 20% of its total claim. Tmt.S.Manimegalai was grossly negligent of the responsibility entrusted to her and her carelessness was likely to result in a huge loss to the Corporation.

Charge-II:

Tmt.S.Manimegalai did not maintain absolute integrity and devotion to duty and was haphazard and imprudent in her work.

3. The petitioner submitted her written statement of defence. Thereafter, not satisfied with the same, an Enquiry Officer was appointed who has also conducted an enquiry and by communication dated 04.01.2016 held that both the charges framed against the petitioner are proved. The petitioner furnished with a copy of the Enquiry Officer report and she has also furnished her further representation on 06.05.21016.

4. Learned counsel appearing for the petitioner would submit that though further representation in response to the Enquiry Officer report was submitted on 06.05.2016, no final order has been passed and on account of the pendency of the disciplinary proceedings her promotion was overlooked and therefore, prays for appropriate direction directing the respondent to pass final orders on the disciplinary proceedings.

5. Heard, Mr.T.Dhananjeyan, learned Special Government Pleader who accepts notice on behalf of the respondent.

6. This Court, taking into consideration the limited scope of the prayer sought for, without going into merits of the case, directs the respondent to pass final orders on the disciplinary proceedings initiated against the petitioner as expeditiously as possible, not later than six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

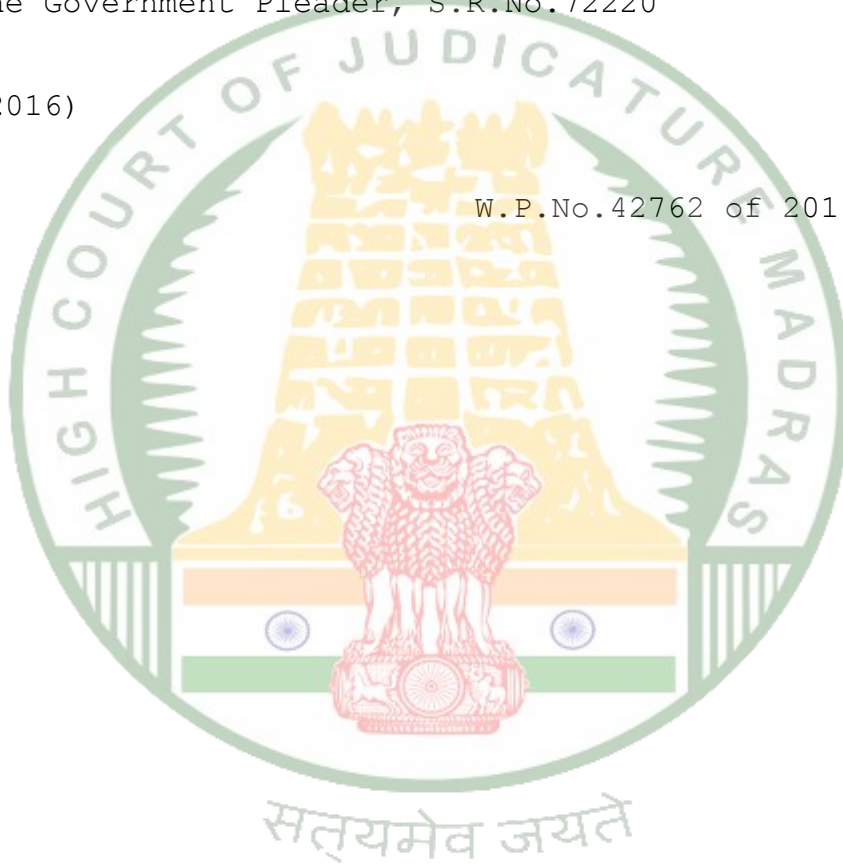
To

The Managing Director
Tamilnadu textbook Educational Services Corporation,
EVK Sampath Building
College Road,
Chennai - 600 006

+lcc to Mr.S. Sathiachandran, Advocate, S.R.No.72168
+lcc to the Government Pleader, S.R.No.72220

gjII(CO)
md(27/12/2016)

W.P.No.42762 of 2016



WEB COPY