

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.4283 of 2016

N.Ganesan

.. Petitioner

vs

The District Collector
Salem, Salem District

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to pass final orders in the disciplinary proceedings pending against the petitioner pursuant to the charge memo issued by the respondent in Na.Ka.No.219/2014/Sa.U.Thi 2 dated 26.06.2014 within a time limit that may be fixed by this Court.

For Petitioner : Mr.P.Rajendran

For Respondent : Mr.P.Chinnadurai
Government Advocate

O R D E R

The petitioner, N.Ganesan, who was subjected to disciplinary proceedings initiated by the Department has come up before this Court seeking a writ of mandamus directing the respondent to pass final orders on the same.

2. The grievance of the petitioner is that though the Enquiry Officer has completed the enquiry and has also submitted his report to the respondent as early as 24.04.2015 stating that the charges framed against the petitioner was not proved, till date, he was not either furnished with a copy of the enquiry report or final orders has been passed in the disciplinary proceedings. Therefore, he sent a representation dated 20.07.2015 to the respondent to complete the enquiry procedure and pass final orders on the same as expeditiously as possible or to revoke his suspension as he has already attained the age of superannuation.

3. Heard Mr.P.Chinnadurai, learned Government Advocate, who took notice on behalf of the respondent sought eight weeks' time to complete the entire exercise.

4. The statement made by the learned Government Advocate appearing on behalf of the respondent is recorded.

5. Considering the fact that the enquiry officer has submitted his enquiry report as early as 24.04.2015, the disciplinary authority is directed to furnish a copy of the enquiry report to the petitioner and to also further issue a notice calling upon him to submit a written representation and thereafter, on receipt of the same, the disciplinary authority is directed to pass final orders on the same on merits and in accordance with law. Such exercise shall be completed by the respondent within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vj2

To

The District Collector
Salem, Salem District

+ 1 cc to Mr.P. Rajendran, Advocate SR.7842
+ 1 cc to Government Pleader SR.7544

EU(CO)
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