

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.43270/2016 & WMP.No.37110/2016

M.Pandian

..Petitioner

Vs

1.The Secretary to Government
Rural Development and Panchayatraj
Department, Secretariat,
Chennai -600 009.

2.The District Collector,
Vellore District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus calling for the records of the 2nd respondent herein in RC.No.2856/2015 PA1 dated 31.03.2015, quash the same and direct the 2nd respondent herein to permit the petitioner to retire from service.

For Petitioner : Mr.S.V.karthikeyan
For Respondents : Mr.R.A.S.Senthilvel, AGP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.R.A.S.Senthilvel, learned Additional Government Pleader accepts notice on behalf of the respondents.

2 The petitioner was working as the Block Development Officer, Anaikattu, right from the year 2014 and on the verge of his retirement on 31.03.2015, he was placed under suspension and he was also not permitted to retire vide orders passed by the 2nd respondent and then only, the petitioner became aware that a case was registered against him and two others, viz/,

Tvl.Venkatesan, Panchayat Secretary, as well as S.Munirathinam, Proprietor of M/s.Ananda Electricals, for the alleged commission of the offences u/s.120[b], 167, 409, 467, 468, 477, 477-A and 420 IPC and sections 13[2] read with 13[1][d] of the Prevention of Corruption Act, 1988. The petitioner, on an earlier occasion, made a challenge to the order of suspension dated 27.03.2015 and the order dated 31.03.2015, not permitting the petitioner to retire from service, by filing WP.No.10097/2015 and this Court, vide order dated 11.06.2015, had directed the Vigilance and Anti-Corruption Detachment, Vellore, to expedite the investigation and file the Final Report to the jurisdictional Court and the said Court was also directed to complete the trial and pass final order within a period of one year thereafter. The grievance expressed by the petitioner is that despite the positive direction, directing the investigating agency to complete the investigation and to file the Final Report with a further direction to expedite the trial, no progress is taking place so far and as a consequence, the Disciplinary Proceedings is also not proceeding further, though the petitioner has submitted his written statement of defence to the Charge Memo and therefore, prays for appropriate orders.

3 This Court heard the submissions of the learned counsel for the petitioner and Mr.R.A.S.Senthilvel, learned Additional Government Pleader appearing for the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to expedite the Disciplinary Proceeding and complete the same and pass orders in accordance with law as expeditiously as possible and not later than three months from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The Secretary to Government
Rural Development and Panchayatraj
Department, Secretariat,
Chennai -600 009.
- 2.The District Collector,
Vellore District.

Copy to:-

The Court of Chief Judicial Magistrate /
Special Court for Trial of Prevention of
Corruption Act Cases, Vellore.

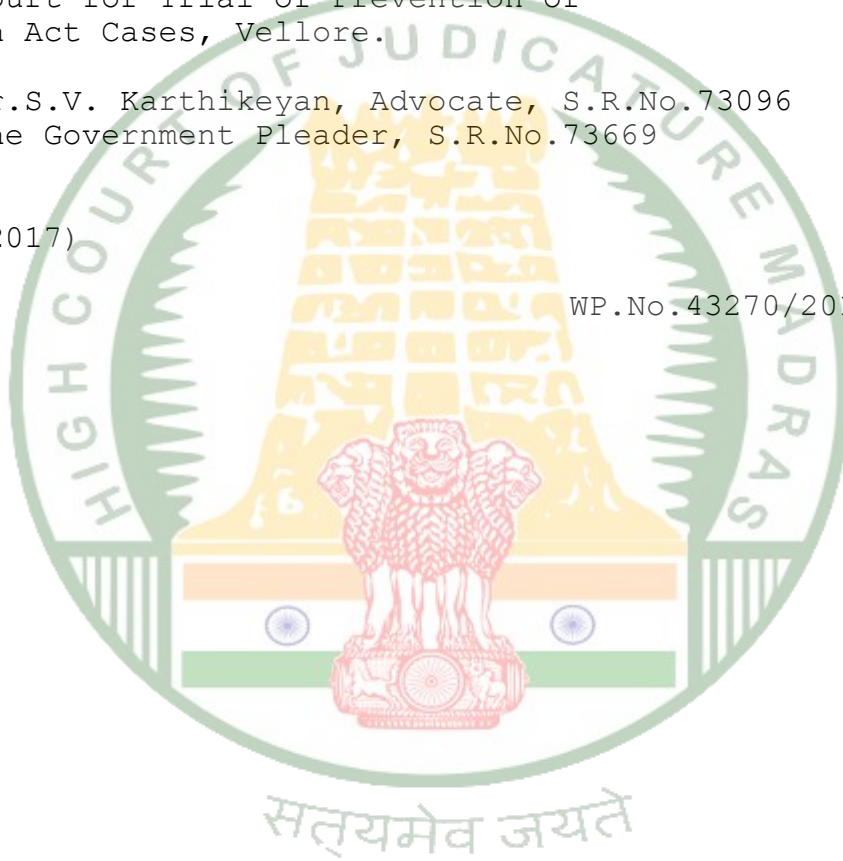
+lcc to Mr.S.V. Karthikeyan, Advocate, S.R.No.73096

+lcc to the Government Pleader, S.R.No.73669

rk(CO)

md(11/01/2017)

WP.No.43270/2016



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