

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.43465/2016 & WMP.No.37309/2016

C.S.Ravindran

.. Petitioner

Vs.

1.The Secretary to Government
Home [Prisons] Department
Secretariat, Chennai 600 009.

2.The Additional Director General of
Police/The Inspector General of
Prisons, Whannels Road, Egmore
Chennai 600 008.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st respondent to pass appropriate orders on the completed disciplinary proceedings initiated against the petitioner in Memorandum No.35403/CS.1/2012-7 dated 27.05.2014 within a reasonable period as may be fixed by this Court since the enquiry has been completed on 09.02.2016 and also considering the fact that the petitioner is due to retire on 31.05.2017.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.K.Dhananjayan, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner, while working as the Superintendent of Prisons, Borstal School, Pudukottai, was visited with Disciplinary Proceedings in the form of Charge Memo dated 27.05.2014. The petitioner also submitted his written statement of defence dated 12.06.2014. subsequently, the Enquiry Officer has conducted the proceedings/enquiry and it was completed on 09.02.2016. The grievance expressed by the petitioner is that though the enquiry was completed as early as on 09.02.2016, the 1st respondent, neither communicated the report of the Enquiry Officer nor passed any

orders on the findings of the Enquiry Officer. In this connection, the petitioner also placed reliance on the Government Letter [Ms] No.1118/Per.N/87, P&AR Department, dated 22.12.1987, which prescribes time limit for the Disciplinary Authority to pass appropriate final orders on the Disciplinary Proceedings. The petitioner in this regard, has also submitted a representation dated 16.11.2016 to the respondents through proper channel and despite the receipt and acknowledgment, no orders have been passed and therefore, the petitioner came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

4 This Court, taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the respondents 1 and 2 to consider and dispose of the petitioner's representation dated 16.11.2016 on merits and in accordance with law and pass orders within a period of ten weeks 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/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

AP
To

1.The Secretary to Government
Home [Prisons] Department
Secretariat, Chennai 600 009.

2.The Additional Director General of
Police/The Inspector General of
Prisons, Whannels Road, Egmore
Chennai 600 008.

+1cc to Mr.T.Ranganathan, Advocate sr.73831

+1cc to The Government Pleader sr.74445

WP.No.43465/2016

su (co)