

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.43960 of 2016

T.A.Vijayaragavan

.. Petitioner

-vs-

1.The Principal Secretary and Transport Commissioner
Chennai 600 005

2. The Tribunal for Disciplinary Proceedings
5/1842-A, Trichy Road
Market Committee Complex
Ramanathapuram
Coimbatore 641 045
Coimbatore District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to pass final orders in the disciplinary proceedings pending against the petitioner on the basis of the findings submitted by the second respondent in TDP Case No.18/2010 within a time limit to be fixed by this Hon'ble Court.

For Petitioner :: Mr.P.Rajendran

For Respondents :: Mr.P.Sanjay Gandhi
Additional Government Pleader

ORDER

The present writ petition has been filed seeking a limited prayer for issuance of a direction to the first respondent to pass final orders on the pending disciplinary proceedings initiated against the petitioner on the basis of the report submitted by the enquiry officer along with the written representation submitted by the petitioner.

2. The petitioner was subjected to the disciplinary proceedings in T.D.P.Case No.18 of 2010. Finally the Tribunal concluded the enquiry and submitted its report on 29.1.2015 and a copy thereof was also furnished to the petitioner on 6.10.2016 calling upon him to submit his explanation. Accordingly, the petitioner submitted his explanation on 16.11.2016. Now the

stage has come for the disciplinary authority to pass final orders. As the petitioner has been facing the departmental proceedings from 23.2.2011, if a direction is issued to the first respondent to pass final orders, no prejudice would be caused to him.

3. Mr.P.Sanjay Gandhi, learned Additional Government Pleader takes notice on behalf of the respondents.

4. Considering the fact that the Tribunal for Disciplinary Proceedings, Coimbatore had completed the enquiry and submitted its report on 29.1.2015 and on receipt of the same, the petitioner has given his written representation on 16.11.2016, the first respondent is hereby directed to consider the same and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ss

To

1.The Principal Secretary and Transport Commissioner
Chennai 600 005

2. The Tribunal for Disciplinary Proceedings
5/1842-A, Trichy Road
Market Committee Complex
Ramanathapuram
Coimbatore 641 045
Coimbatore District

1 cc to M/s.P. Rajendran, Advocate, Sr. 76203

1 cc to Government Pleader, Sr. 76275

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MP (CO)
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