

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9439 of 2016

T.Natarajan

.. Petitioner

-vs-

1. The Government of Tamil Nadu
rep.by its Principal Secretary
Municipal Administration and Water
Supply Department
Fort St.George
Chennai 600 009

2. The Director of Municipal Administration
Chepauk
Chennai 600 005 .. 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 order in the disciplinary proceeding dated 07.01.2012 within a time frame so as to enable the petitioner to get promotion as Executive Engineer before his retirement on 31.01.2017.

For Petitioner :: Mr.K.Raja for Mr.N.Kolandaivelu

For Respondents :: Mr.P.Chinnadurai
Government Advocate

सत्यमेव जयते
ORDER

This writ petition has been filed by Mr.T.Natarajan seeking a writ of mandamus, directing the first respondent to pass final order in the pending disciplinary proceeding within a reasonable time, since the petitioner is heading for retirement on attaining the age of superannuation on 31.01.2017 and that the enquiry officer, on completion of the enquiry, has also filed his report on 30.4.2015 holding that all the three charges framed against the petitioner are not proved.

2. Heard the learned counsel for the petitioner. Mr.P.Chinnadurai, learned Government Advocate takes notice on behalf of the respondents.

3. It appears that the petitioner has been subjected to disciplinary proceeding pursuant to the charge memo dated 7.1.2012 and finally the enquiry officer, on completion of the enquiry, has also filed his report on 30.4.2015 holding that the three charges framed against the petitioner are not proved. Thereafter, the respondents have not moved further. Considering the fact that the petitioner is fastly approaching the age of superannuation on 31.1.2017, this Court has no hesitation to direct the first respondent to pass final orders in respect of the disciplinary proceeding initiated against the petitioner. Accordingly, the writ petition is disposed of with a direction to the first respondent to pass final orders in the manner known to law, in respect of the disciplinary proceeding initiated against the petitioner pursuant to the charge memo dated 7.1.2012, within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

ss

To

1. The Principal Secretary to Government
Municipal Administration and Water
Supply Department
Fort St.George
Chennai 600 009
2. The Director of Municipal Administration
Chepauk
Chennai 600 005

1 cc to M/s.N. Kolandaivelu, Advocate, Sr. 16242
1 cc to Government Pleader, SR. 16340

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