



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.06.2016

CORAM

THE HONOURABLE **MR. JUSTICE T. RAJA**

W.P(MD) .No.10145 of 2016

M.Vairamuthu

... Petitioner

Vs.

1.The Commissioner for milk production
and dairy development,
Tamil Nadu Co-operative milk producers
federation Ltd,
Madhavaram, Chennai-51.

2.The General Manager,
Madurai District Co-operative Milk
Producer's Union Ltd,
Sathamangalam, Madurai-20.

3.The Assistant General Manger
(Quality Control)/Enquiry Officer,
Madurai District Co-operative Milk
Producer's Union Ltd,
Sathamangalam, Madurai-20.

4.The Assistant General Manager
(Milk Production)/Enquiry Officer,
Madurai District Co-operative Milk
Producer's Union Ltd,
Sathamangalam, Madurai-20.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 2nd, 3rd & 4th respondents to give enquiry report and verdict over the disciplinary proceedings to the petitioner in first charges of Na.ga.No.3242/தொ.உ/2014 dated 30.12.14 & 2nd Charges of 420/தொ.உ/2015 dated 20.1.15.

For petitioner : Mr.R.Ramasamy

<https://hcservices.ecourts.gov.in/hcservices/> For Respondents : Mr.T.R.Janarthanam

Additional Government Pleader

**ORDER**

Mr.M.Vairamuthu, serving as Junior Executive Officer in the Office of the second respondent, has suffered two departmental proceedings, namely, the second respondent issued a charge memo against him in Na.Ka.No.3342/தொ.உ/2014, dated 30.12.2014, and another charge memo in Na.Ka.No.420/தொ.உ/2015, dated 20.01.2015. Since promotions were given to his juniors, without considering him for the promotional post in view of pendency of two departmental proceedings as mentioned above, he has given a representation to the respondents to pass final orders on the pending disciplinary proceedings. Finding no response forthcoming from the respondents, he has come before this Court.

2. Learned counsel for the petitioner has submitted that, after completion of the enquiry in respect of the first charge memo, the Enquiry Officer has submitted his report on 24.12.2015 and a copy of the same was also given to the petitioner. However, in respect of the second charge memo, even though the enquiry was held on 12.08.2015, the respondent neither furnished a copy of the Enquiry Report nor passed any final order so far. As a result, his juniors were given promotion by-passing his seniority.

3. The learned Additional Government Pleader reiterated that though the enquiry was held on 12.08.2015 in respect of the second charge memo, it is not known whether the respondent has passed the final orders or not. However, he submitted that necessary orders will be passed within the time to be stipulated by this Court.

4. In view of the fact that the enquiry relating to the second charge memo is already over by 12.08.2015, the respondents are directed to serve the enquiry report as well as the outcome of the disciplinary proceedings upon the petitioner, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

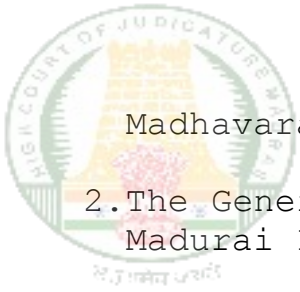
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Sub Assistant Registrar

To

1.The Commissioner for milk production
and dairy development,

<https://hcservices.courts.mys.in/hcservices/>
Tamil Nadu Co-operative milk producers
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Sathamangalam, Madurai-20.

+1 cc to M/s.R.Ramasamy, Advocate in SR.No.29484
+1 cc to The Special Government Pleader in SR.No. 29063

ssm
CSL/ARK-PV/23.06.2016 : 3p/7c

W.P (MD) .No.10145 of 2016

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