



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA
W.P (MD) No.21775 of 2016

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Mrs.Sagunthala

: Petitioner

Vs.

The Joint Director,
Kallar Reclamation Department,
Madurai.

: Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to conclude the enquiry conducted by the respondent based on the petitioners representation-complaint dated 04.04.2016 as well as through the enquiry notice dated 27.05.2016 by affording all the opportunities to the petitioner for the production of relevant documents.

For Petitioner

: Mr.B.Prahalad Ravi

For Respondent

: Mr.T.S.Mohammed Mohideen,

Additional Government Pleader.

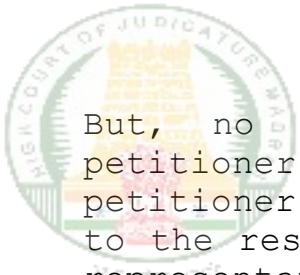
O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to conclude the enquiry, which has been initiated against one Palpanabasekar, based on the petitioner's representation-complaint dated 04.04.2016.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who took notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

3.The facts leading to the filing of this writ petition are as follows:

The petitioner is working as a Headmaster in Government Kallar Primary School, Thirumalpuram, Periyakulam Region, Theni District. She has preferred a complaint to the respondent, seeking to take action against the Supervisor namely, Palpanabasekar, who has tortured her and spoke to her using unparliamentary words. But even though the complaint is dated 04.04.2016, no action has been taken so far. The respondent issued enquiry notice to the petitioner dated 27.05.2016 fixing the enquiry on 31.05.2016. When the petitioner appeared before the respondent, she was informed that future date of hearing will be intimated to her.



But, no future date of hearing has been intimated to the petitioner. As further date of hearing is not provided to the petitioner, this writ petition has been filed seeking a direction to the respondent to conclude the enquiry and also dispose of his representation dated 04.04.2016 within a limited time frame.

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4.The learned Additional Government Pleader appearing for the respondent would point out that the supervisor, against whom allegation has been made, namely, Palpanabasekar, has not been impleaded in this case and the petitioner must be directed to implead the said person.

5.This contention is not correct. The petitioner only prays for early conclusion of enquiry. Enquiry has already commenced.

6.Having regard to the limited nature of prayer, notice to the supervisor namely, Palpanabasekar, is dispensed with at this stage. During prima facie enquiry/detailed enquiry, if the respondent feels it appropriate, they may issue notice to the supervisor Palpanabasekar, so that his interest is also protected.

7.The respondent is directed to dispose of the representation dated 04.04.2016 and to conclude the enquiry within a period of four weeks from the date of receipt of copy of this order.

8.With the above observation, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(co)

/TRUE COPY/

Sub Assistant Registrar

smn

To

The Joint Director,
Kallar Reclamation Department,
Madurai.

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 69286

SM/EM:MPA:SAR1: 6.1.2017: 2P/3C

ORDER MADE IN
W.P (MD) No.21775 of 2016
15.11.2016