



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

Writ Petition (MD) No.2787 of 2016

M.Senthamarai

... Petitioner

Vs.

1.The Secretary to Government,
Revenue Department,
Secretariat, Chennai 600 009.

2.The Assistant Director of Survey and
Land Records, Collector's office,
Sivagangai.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent i.e., the Secretary to Government Revenue Department Chennai to appoint the Enquiry Officer complete the enquiry within a specified time frame and dispose off the disciplinary action initiated by the Government in Letter No.36340/SS-4/2009-7 Revenue Department dated 28.08.2010 on merits and in accordance with law within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.S.Murugan,
Government Advocate

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus, to direct the first respondent to appoint an Enquiry Officer to complete the enquiry within a specified time frame and dispose of the disciplinary action initiated by the Government in Letter No.36340/SS-4/2009-7 Revenue Department, dated 28.08.2010 on merits and in accordance with law.

2.Heard the learned counsel for the petitioner. Mr.S.Murugan, learned Government Advocate takes notice for the respondents.

3.According to the petitioner, she is working as Senior Draftsman in the Office of the Assistant Director of Survey and Land Records, Sivagangai. Pursuant to certain delinquency which took place in the year 2000, disciplinary action was initiated on 28.08.2010. The petitioner submitted her explanation on 22.04.2012. However, the Government had appointed an Enquiry Officer on 27.02.2014. The said Enquiry Officer was



also retired on 30.04.2015. It is further submitted that the petitioner is also going to retire on 30.04.2017. Since there is no progress in the above said enquiry proceedings, the petitioner has come up with the above writ petition.

4. This Court is not able to understand as to why the respondents are unable to complete the above said proceedings which is pending for the past 16 years. When the respondents themselves are indisciplined in their procedure, it is natural that the petitioner has to knock the door of this Court for a relief of subjecting herself for an enquiry.

5. In the light of the above facts, the first respondent shall appoint an Enquiry Officer, within two weeks from the date of receipt of a copy of this order and complete the above said proceedings initiated by the Government in Letter No.36340/SS-4/2009-7 Revenue Department, dated 28.08.2010 within a period of twelve weeks thereafter.

6. The writ petition is disposed of in the above terms. The matter is directed to be listed on 25.04.2016 for reporting compliance. No costs.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Revenue Department, Secretariat, Chennai 600 009.

2. The Assistant Director of Survey and
Land Records, Collector's office, Sivagangai.

+one cc to M/s.S.Visvalingam, Advocate in SR.No.7874
+one cc to The Special Government Pleader in SR.No. 7908

sms

CSL/SKS-RR/SAR-I/16.02.2016/2p/5c

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