



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2016

CORAM :

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.8360 of 2016

WEB COPY

K.Rama Bai

... Petitioner

Vs.

1.The Social Welfare Director,
Directorate, Chepauk,
Chennai 600 005.

2.The Social Welfare Commissioner,
SIDCO Corporate Old Building,
3rd Floor, Thiru.Vi.Ka.Estate,
Guindy, Chennai 600 032.

3.The District Social Welfare Officer,
Dindigul District, Dindigul.

4.The Block Development Officer,
Ottanchathram Panchayat Union,
Ottanchathram, Dindigul District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 09.11.2015 and pass final order on the enquiry report dated 18.01.2012 submitted by the Social Welfare Officer, Madurai and thereby permit the petitioner to avail her retirement benefits as well as pension benefits.

For Petitioner : Mr.S.Ramu

For Respondents 1-3 : Mr.G.Muthukannan,
Government Advocate

For 4th Respondent : Mr.A.K.Baskarapandian,
Special Government Pleader

ORDER

The writ petitioner was allowed to retire from service on 30.06.2011 without prejudice to the three charges under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules levelled against her. It is stated that an Enquiry Officer was appointed and enquiry was conducted and completed and the report was also filed on 18.01.2012. The second respondent has to pass final orders based on the enquiry report. Despite several representations submitted to the second respondent through the third respondent, no final order has been passed. The delay on the part of the second respondent is prejudicial to the petitioner as she could not avail her retirement benefits. Therefore, the petitioner submitted representation dated 09.11.2015 which is still



pending. Hence, the petitioner has come up with the above writ petition seeking mandamus to the second respondent to pass final orders on the enquiry report dated 18.01.2012 based on her representation dated 09.11.2015.

WEB COPY

2. Admittedly, it is incumbent on the part of the respondents to state as to why they have not passed final orders based on the enquiry report dated 18.01.2012 in spite of passage of four years. Therefore, the second respondent is directed to pass final orders on the enquiry report dated 18.01.2012 within a period of six weeks from the date of receipt of a copy of this order and report compliance before this Court after six weeks.

3. The writ petition is disposed of accordingly. No costs.

Sd/

Assistant Registrar (CS-II)

/TRUE COPY/

Sub Assistant Registrar (C.S)
Madurai Bench of Madras High Court,
Madurai.

To

1. The Social Welfare Director,
Directorate, Chepauk,
Chennai 600 005.

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Ottanchathram, Dindigul District.

+1cc to M/S.S.Ramu, Advocate in SR.No.24528

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sms

PA/JGB-DP/SAR II/04.05.2016/2P/6C