



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.(MD)No.2154 of 2011

and

M.P(MD)Nos.1 and 2 of 2011

WEB COPY

S.Pandi

... Petitioner

Vs.

1.The Secretary to Government,
Highways and Minor Ports (HL1) Department,
Secretariat,
Chennai - 09.

2.The Secretary to Government,
Rural Department (E2) Department,
Secretariat, Chennai -9.

3.The Divisional Engineer,
Highways Department,
Tirunelveli.

4.The Block Development Officer,
Chellampatti Panchayat Union,
Madurai.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings in impugned letter No.7164/HL1/2009-1 dated 18.08.09 on the file of the first respondent and quash the same and further direct to permit the petitioner to retire from the petitioner's service.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.Aairam K.Selvakumar
Govt. Advocate for R1 to R3
Mr.M.V.Venkataseshan for R4

ORDER

The petitioner has come to this Court challenging the impugned order in No.7164/HL1/2009-1 dated 18.08.09 on the file of the first respondent and for further direction to the respondents to permit the petitioner to retire from his service.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 and the learned counsel appearing for the 4th respondent.

3. It is seen from the counter affidavit that after issuance of charge memo, an enquiry officer was appointed and the enquiry was going on. Further it is seen from the counter affidavit that the enquiry officer sent a communication that the enquiry would be completed within 6 months.

4. When the matter is taken up for hearing today, the learned Government Advocate appearing for the respondents 1 and 2 submitted that the enquiry was conducted and a report was also filed and based on that the order G.O.Ms.No.107, dated 10.05.2013 has been passed by stating that all the charges were dropped.

5. The said submission is recorded. The petitioner would have permitted to retire from his service on 30.04.1997. But due to pendency of the above charge memo, permission has not been granted. Now as the respondents themselves have dropped the charges, the respondents are hereby directed to permit the petitioner to retire from his service as per his superannuation dated 30.04.1997 and pay all the service and monetary benefits. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.side)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Highways and Minor Ports (HL1) Department,
Secretariat, Chennai - 09.
 2. The Secretary to Government,
Rural Department (E2) Department, Secretariat, Chennai -9.
 3. The Divisional Engineer, Highways Department, Tirunelveli.
 4. The Block Development Officer,
Chellampatti Panchayat Union, Madurai.
- +1 CC to M/s.G.PRABHU RAJADURAI, Advocate, SR No.51691
+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.51937

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