

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Coram

Dated: 11.01.2017

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.845 of 2017

S.Thangavel

... Petitioner

-Vs-

1. The Government of Tamil Nadu,
rep. By its Secretary to Government,
Rural Development Department,
Fort St.George,
Chennai - 600 009.
2. The Director of Rural Development
and Panchayat Raj,
Panagal Building,
Chennai - 600 015.
3. The District Collector (PD Section),
Tirupur District,
Tirupur.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the first respondent to pass final orders in the disciplinary proceedings initiated against the petitioner pursuant to the charge memo dated 20.08.2013 bearing Roc.No.23401/2013/o gp rp 3.1 within a stipulated period as may be prescribed by this Honourable Court.

For Petitioner : Mr.V.Suthakar

For Respondents : Mr.P.Sanjai Gandhi
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.P.Sanjai Gandhi, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 3.

2. The petitioner, while working as Block Development Officer (VP) at Kangeyam Block, Tiruppur District, has reached the age of superannuation on 28.02.2014, however, he was not allowed to retire as he was placed under suspension and disciplinary proceedings in the form memo dated 20.08.2013 were pending. The petitioner, with regard to the charge memo has submitted his written statement of defence. During pendency of disciplinary proceedings, the first respondent vide G.O.Ms.No.21 Rural Development and Panchayat (E1) Department dated 09.01.2015 has permitted the petitioner to retire from service without prejudice to the outcome of the disciplinary proceedings. Subsequently, the Enquiry Officer has also submitted his report, for which, the petitioner was also put on notice and submitted his explanation. Despite receipt and acknowledgement, the disciplinary authority, viz., the 1st respondent is yet to pass orders. Hence, the petitioner came forward to file this writ petition.

3. Heard the submission of the learned counsel appearing for the petitioner and Mr. Sanjay Gandhi, learned Additional Government Pleader appearing for the respondents.

4. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances, without going into the merits of the claim projected by the petitioner, directs the first respondent to pass orders on the disciplinary proceedings initiated against the petitioner as expeditiously as possible and not later than ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Secretary to Government,
Rural Development Department,
Fort St. George,
Chennai - 600 009.

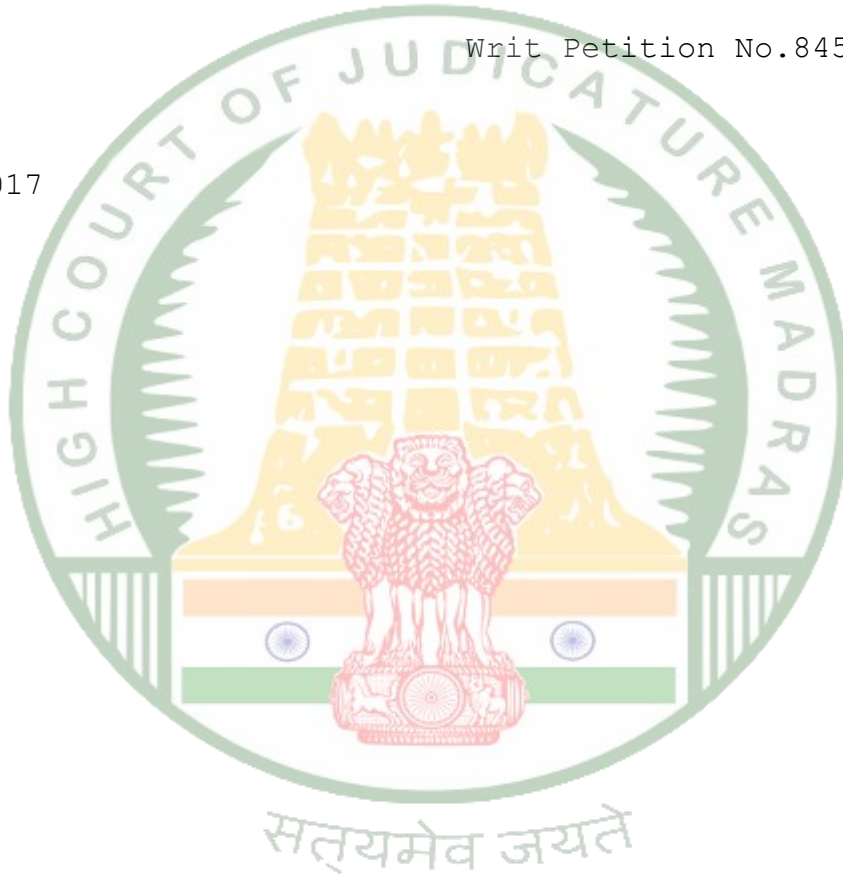
2. The Director of Rural Development
and Panchayat Raj,
Panagal Building, Chennai - 600 015.

3. The District Collector (PD Section),
Tirupur District, Tirupur.

+1cc to Mr.V.Suthakar, Advocate SR.3164
+1cc to the Government Pleader Sr.3058

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msm[co]
srg 6/2/2017



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