

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.6916/2017

T.Rajeswari

... Petitioner

Vs.

1. The Secretary to Government,
Rural Development and Panchayat Raj
Department,
Secretariat,
Chennai-600 009.

2. The Director of Rural Development,
Panagal Building,
Saidapet,
Chennai-600 015.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issue of Writ of Mandamus directing the 1st respondent to pass orders on the completed disciplinary proceedings by issuing a Show cause Notice in Letter No.22513/E1/2013-45, Rural Development and Panchayat Raj Department dated 27.07.2016 communicating the provisional conclusion to impose the punishment of Pension cut of sum of Rs.100/- (Rupees One Hundred only) per month for a period of 5 months, which the Petitioner has also accepted in her letter dated 10.08.2016, submitted through the District Collector, Tiruppur District, within a reasonable period fixed by this Court.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.V.Jayaprakash Narayanan, SPL.GP

ORDER

Heard Mr.T.Ranganathan, learned counsel appearing for the respondent, and Mr.V.Jayaprakash Narayanan, learned Special Government Pleaders who accepts notice on behalf of the respondents.

2.The petitioner was visited with the disciplinary proceedings and she was not allowed to retired from service on attaining the age of superannuation on 30.04.2013. Subsequently, the first respondent has dropped the proceedings initiated by the Commissioner for Disciplinary Proceedings, Coimbatore, in TDP Case No.7 of 2011, as per the orders issued in G.O.(D) No.90, Rural Development and Panchayat Raj Department dated 13.02.2015. Consequently, the first respondent also issued orders in G.O.(D) No.95, Rural Development and Panchayat Raj Department dated 30.05.2015, revoking the suspension order passed against the petitioner and also permitted her to retire from service as on 30.04.2013. The grievance expressed by the petitioner is that after the departmental proceedings initiated against her, were concluded, the first respondent issued a show cause notice dated 27.07.2016 calling upon her to express her willingness to impose punishment of Pension cut of Rs.100/- per month for a period of 5 months as penalty. The petitioner has also expressed her consent by letter dated 10.08.2016 which she submitted through the District Collector, Tiruppur. However, according to the petitioner, the first respondent has not passed any orders till date, and hence she could not receive the pension.

3.Having regard to the above facts and circumstances, and the letter of willingness dated 10.08.2016 submitted by the petitioner, the 1st respondent is hereby directed to pass final orders in the Disciplinary Proceedings initiated against the petitioner and to pass orders there on within a period of three weeks from the date of receipt of a copy of this order.

4.With the above direction the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

KP

To

1. The Secretary to Government,
Rural Development and Panchayat Raj
Department,
Secretariat,
Chennai-600 009.

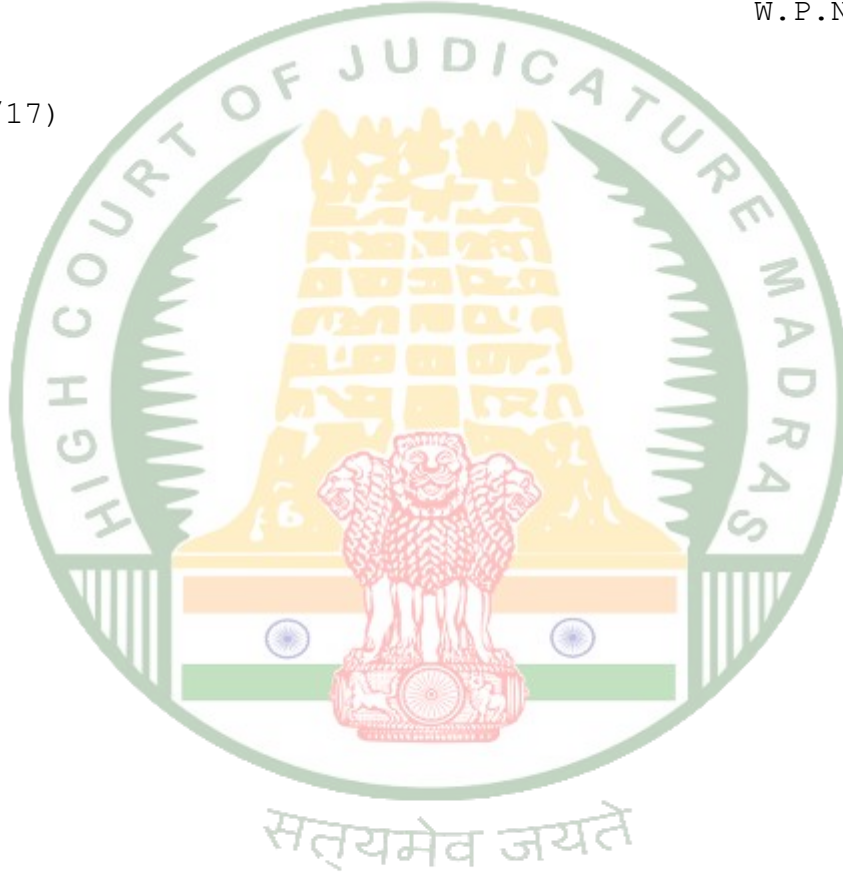
2. The Director of Rural Development,
Panagal Building,
Saidapet,
Chennai-600 015.

+1cc to Mr.T.Ranganathan, Advocate, S.R.No.17704

+1cc to the Government Pleader, S.R.No.18295

W.P.No.6916/2017

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rmp (08/05/17)



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