

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9976 of 2017

K.Gunasekaran

... Petitioner

-vs-

1. Government of Tamil Nadu rep.by
Agricultural Production Commissioner
and Principal Secretary to Government
Agriculture (AA-2) Department
Secretariat, Fort St.George
Chennai 600 009

2. The Joint Director of Agriculture
Salem
Salem District

... Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the first
respondent to pass final order upon the enquiry initiated vide
letter No.39139/AA-2/2001-24 dated 08.08.2011.

For Petitioner ::Mr.K.Bhasker

For Respondents::Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petitioner has come to this Court seeking issuance of a writ of mandamus, directing the first respondent to pass final order on the pending disciplinary proceedings initiated vide letter No.39139/AA-2/2001-24 dated 08.08.2011, on the ground that when he was issued with a charge memo dated 8.8.2011, he had submitted his explanation. Thereafter, the enquiry officer appointed to go into the correctness of the allegations also, on completion of the enquiry, submitted his report on 27.5.2016. Subsequently, the copy of the report was furnished to the petitioner calling upon him to submit his written representation. Accordingly, the petitioner, on receipt of the copy of the enquiry report, submitted his reply on 19.9.2016.

Therefore his grievance is, till date, the first respondent has not come forward to pass final orders. Hence a direction should be issued to this effect.

2. Mr.T.M.Pappiah, learned Special Government Pleader, taking notice on behalf of the respondents, sought eight weeks time to consider and pass final orders on the pending disciplinary proceedings.

3. This Court, considering the fact that the enquiry officer had submitted his report on 27.5.2016 and subsequently the petitioner, on receipt of the report of the enquiry officer, has also submitted his written representation to the second show cause notice on 19.9.2016, hereby directs the first respondent to pass final orders on the pending disciplinary proceedings initiated against the petitioner within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Agricultural Production Commissioner,
and Principal Secretary to Government,
Agriculture (AA-2) Department,
Secretariat, Fort St.George,
Chennai 600 009.

2. The Joint Director of Agriculture,
Salem,
Salem District.

+1cc to Mr.K.Bhaskar, Advocate Sr.24518
+1cc to the Government Pleader Sr.24739

W.P.No.9976 of 2017

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srg 05/05/2017