

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-08-2017

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.21418 of 2017

N.Mohammed Najeeb

.. Petitioner

vs.

1. Director of Rural Development & Panchayatraj,
Chennai-600 015.

2. District Collector,
Villupuram District.

.. Respondents

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents herein to conclude the disciplinary proceedings initiated under Rule 17(b) of TNCS (D&A) Rules by the second respondent herein in his proceedings 1) Roc.PA5/12057/2011-16 dated 23.1.2012 and 2) Na.Ka.No.Pa.Aa.5/2151/2017 dated 25.5.2017 and pass final orders.

For Petitioner : Mr.Mr.G.Bala for
M/s.G.Bala and Daisy.

For Respondents : Mr.C.C.Rangarajan,
Government Advocate.

O R D E R

The relief sought for in this writ petition is for a direction to the respondents to conclude the disciplinary proceedings initiated against the writ petitioner under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules by the second respondent in proceedings dated 23.1.2012 and on 25.5.2017 respectively.

2. The learned counsel appearing for the writ petitioner contended that the writ petitioner is holding the post of Junior Engineer and he was placed under suspension on account of certain irregularities alleged to have been committed. The disciplinary proceeding was initiated under Rule 17(b) of the Discipline and Appeal Rules and the writ petitioner has submitted his explanations, denying the charge memo issued to him in proceedings dated 23.1.2012. A second charge memo was issued on 25.5.2017 and based on the second

charge memo, he was placed under suspension on 26.5.2017. The writ petitioner submitted his further explanation on 31.5.2017. The enquiry is yet to be conducted.

3. The learned counsel appearing for the writ petitioner states that the writ petitioner was due to retire from service on 31.5.2017 and not allowed to retire from service on account of the charge memo, his services are retained and therefore, he is unable to get his terminal and retirement benefits.

4. In this view of the matter, the respondents are directed to complete the enquiry and pass final orders in the disciplinary proceedings in accordance with the Rules, within a period of five months from the date of receipt of a copy of this order. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

Svn

To

1. Director of Rural Development & Panchayatraj,
Chennai-600 015.
2. District Collector,
Villupuram District.

+1 CC to Mr. G. Bala & Daisy, advocate sr 57795.
+1 CC to Govt. Pleader sr 58335.

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SP(23/08/2017)