

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.08.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22759 of 2017

and

W.M.P.Nos.23879 and 23880 of 2017

M.Elavarasan

..Petitioner

Vs

The District Manager
Chennai District
Tamil Nadu State Marketing
Corporation Limited (TASMAC)
Chennai.

.. Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records made in Na.Ka.No.D1/205/2015 dated 13.07.2015 on the file of respondent herein and quash the same as illegal and direct the respondent to reinstate the petitioner with all benefits to secure the ends of justice.

For Petitioner : Mr.K.Nagarajan

For Respondent : Mr.K.SathishKumar

O R D E R

The second show cause notice issued to the writ petitioner in proceedings dated 13.07.2015, is under challenge in this writ petition.

2. The writ petitioner was appointed as Salesman in the Tamil Nadu State Marketing Corporation Limited and on account of allegation of un-authorized absence, a charge memo was issued and domestic enquiry was conducted. On receipt of the enquiry report, a second show cause notice was issued on 13.07.2015, and the writ petitioner has also submitted his objections on 14.07.2015.

3. The learned counsel appearing for the writ petitioner states that inspite of the completion and submission of the enquiry report, no final orders have been passed for the past two years and the writ petitioner is not allowed to continue in the job also. Thus, it is the duty of the respondent either to reinstate the writ petitioner and continue him till the final orders are passed or to pass final orders in the disciplinary proceedings and they cannot keep the file pending for long years.

4. The submission made by the learned counsel for the writ petitioner is reasonable and disciplinary proceedings initiated against public servants are to be concluded as early as possible and long delay in conclusion of the disciplinary proceedings will certainly cause prejudice to the delinquent officials.

5. In this view of the matter, the respondents are directed to complete the disciplinary proceedings in all respects and pass final orders in the disciplinary proceedings initiated against the writ petitioner within a period of six weeks from the date of receipt of a copy of the order.

6. Accordingly, the writ petition stands disposed of. However, no order as to costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

dna

To

The District Manager, Chennai District
Tamil Nadu State Marketing Corporation Limited (TASMAC) Chennai.

+ 1 cc to Mr. K. Sathishkumar, Advocate Sr.61531
+ 1 cc to Mr. Nagarajan, Advocate Sr.60895

W.P.No.22759 of 2017

SSI(CO)
EU(05/10/2017)