

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.12.2017

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THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.33681 of 2017

P.Senthamarai Kannan

...Petitioner

Versus

- 1.The Principal Secretary to Government,
Municipal Administration and Water Supply
(ME-4) Department,
Fort St. George, Chennai-9.
- 2.The Principal Secretary and Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai-3.
- 3.The Deputy Director of Local Fund Audit,
Corporation Audit,
Rippon Building, Chennai-3.
- 4.The Regional Deputy Commissioner (South),
Greater Chennai Corporation,
Rippon Building,
Chennai-3.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent herein to pass final orders in the disciplinary proceedings initiated against the petitioner in TDP Case No.10/2010 in A1/528/2010 dated 11.07.2011 and TDP Case No.6/2010 in A1/528/2010 dated 11.07.2011, within a time frame fixed by this Court.

For Petitioner	: Mr.D.Velmurugan for M/s.G.Bala and Daisy
For Respondents	: Mr.ERA.Premnath, Government Advocate for R1 Mr.R.Arunmozhi, Standing Counsel for R2 to R4

ORDER

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 2nd respondent herein to pass final orders in the disciplinary proceedings initiated against the petitioner in TDP Case No.10/2010 in A1/528/2010 dated 11.07.2011 and TDP Case No.6/2010 in A1/528/2010 dated 11.07.2011, within a time frame fixed by this Court.

2. According to the petitioner, he joined the Government services as Field Assistant on 6.11.1972 and thereafter, promoted as Basic Health Worker in the year 1978 and as Sanitary Inspector in the year 1982 and as Sanitary Officer in the year 2009. He was due to retire on attaining the age of superannuation on 31.01.2013. While so, the petitioner was subjected to enquiry before the Tribunal for Disciplinary Proceedings in TDP.Nos.6/2010 and 10/2011. In the mean time, the 1st respondent by his order dated 31.01.2013 had allowed the petitioner to retire from service, without prejudice to the disciplinary proceedings pending against the petitioner in TDP.Nos.6/2010 and 10/2011. Thereafter, on the basis of the enquiry, the Proceedings have been submitted to the Commissioner, Greater

Chennai Corporation in G.O.(2D) No.27, Municipal Administration and Water Supply (ME.4) Department dated 24.05.2017 under Rule 10(b) of the Tamil Nadu Civil Services (Disciplinary Proceedings Tribunal) Rules, 1955, for passing final orders. But till date, no final orders have been passed. Hence, the present Writ Petition.

3. Heard the learned Counsel for the petitioner and the learned Government Advocate appearing for the 1st respondent and the learned Standing Counsel appearing for the respondents 2 to 4.

4. A perusal of G.O.(2D) No.27, Municipal Administration and Water Supply (ME.4) Department dated 24.05.2017 issued by the Government shows that action will be taken in the matter in accordance with rule 10(b) of the Tamil Nadu Civil Services (Disciplinary Proceedings Tribunal) Rules, 1955. But, it appears that the final orders have not been passed till date.

5. The learned Standing Counsel appearing for the respondents 2 to 4 sought for time to get instructions in the matter.

6. This Court taking into account the submission of the learned Counsel for the petitioner that the final orders have not been passed against the petitioner in TDP Case No.10/2010 and TDP Case No.6/2010, directs the 2nd respondent to pass final orders, if not

T.RAJA, J.

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passed earlier, within a period of four weeks from the date of receipt of a copy of this Order, on merits and in accordance with law.

7. With the above observation, the Writ Petition is disposed of. No costs.

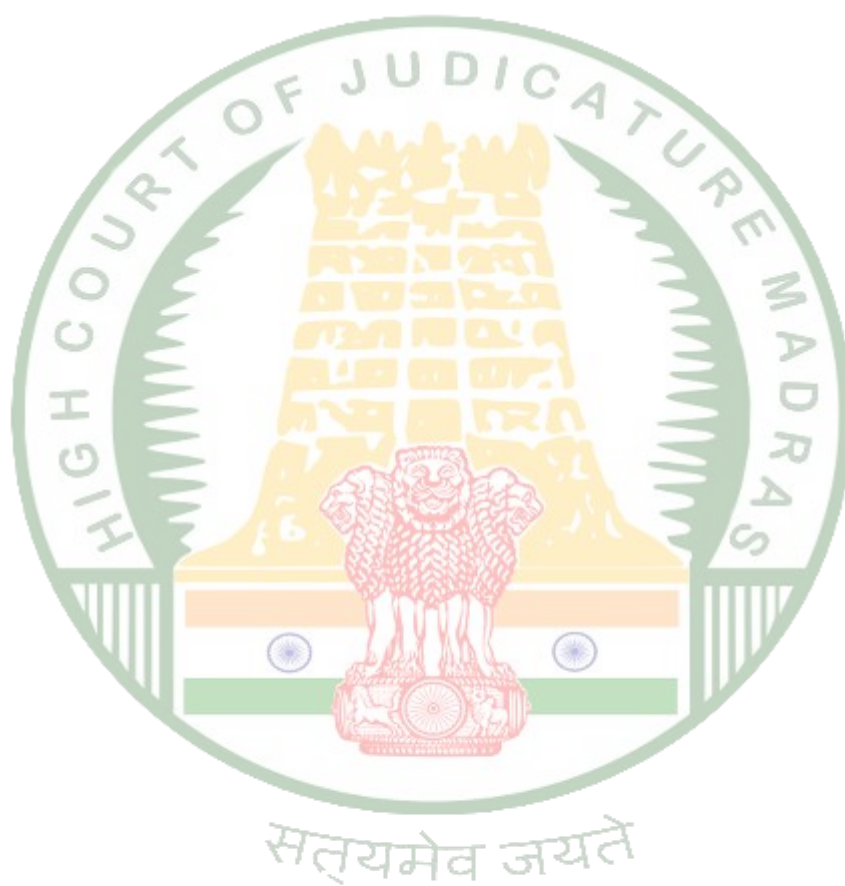
22.12.2017

Index:Yes/No
Internet:Yes/No
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To

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