

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14472 of 2017

A.Sathyamani

... Petitioner

-vs-

1. The District Collector
Tiruvannamalai District
Tiruvannamalai

2. Government of Tamil Nadu
rep.by Secretary
Department of Rural Development
and Panchayat Raj
Fort St.George
Chennai 600 009

3. Block Development Officer
Tiruvannamalai

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the records passed in Na.Ka.No.10952/ 2014/PaE2-2 dated 02.08.2016 on the file of the first respondent and quash the same.

For Petitioner:: Mr.S.Sadasharam

For Respondents:: Mr.T.M.Pappiah

Special Government Pleader for R1&2

Mr.R.Rajendra Narasimhan

Additional Government Pleader for R3

ORDER

This Court is not inclined to entertain the writ petition filed by the petitioner challenging the correctness of the charge memo. The reason is that when the respondents have appointed the petitioner as Village Panchayat Secretary Grade II on 1.4.2008, based on the marksheet produced by him in respect of 12th Standard, subsequently, it was found that the 12th

Standard marksheet was not genuine and it was bogus. Therefore, they have placed the petitioner under suspension on 2.8.2016 and also issued a charge memo on the said date calling upon him to submit his explanation. Immediately on receipt of the charge memo, the petitioner also sent his explanation dated 'Nil'. However, the reply given to the charge memo shows that the petitioner was unaware of the fact whether the 12th Standard marksheet was bogus or genuine. Hence, it is a case where the disciplinary authority has to pass final orders after holding proper enquiry. In view thereof, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition fails and it is dismissed. However, the disciplinary authority is directed to dispose of the matter at the earliest point of time, preferably within a period of six months from the date of receipt of a copy of this order. Consequently, W.M.P.Nos.15701 & 15702 of 2017 are also dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ss
To

1. The District Collector
Tiruvannamalai District
Tiruvannamalai.
2. The Secretary to Government
Department of Rural Development
and Panchayat Raj
Fort St.George
Chennai 600 009.

3. The Block Development Officer
Tiruvannamalai.

+1cc to M/Sl.S.Sadasharam, Advocate Sr.41655
+1cc to the Government Pleader Sr.42093

W.P.No.14472 of 2017

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srg 22/06/2017