

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2017

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HON'BLE MR.JUSTICE M.V.MURALIDARAN

W.P No.15247 of 2017

1. The Board of Trustees of
Chennai Port Trust represented
by its Chairman,
Rajaji Salai, Chennai.
 2. The Secretary,
Chennai Port Trust,
Rajaji Salai, Chennai-1. Petitioners/Petitioners
- Vs
1. The State Level Scrutiny Vigilance Committee/
Principal Secretary to Government,
Adi Dravida and Tribal Welfare Department,
Fort St.George, Chennai 600 009.
 2. K.Manivannan Respondents/Respondents

Prayer:-Writ Petition filed under article 226 of the Constitution of India to direct the first respondent/State Level Scrutiny Committee herein, to complete the enquiry within the time stipulated by this Court with regard to the status of the second respondent herein based upon the representations of the petitioner dated 05.12.2016 and 23.02.2017.

For Petitioners : Mr.R.Karthikeyan

For Respondents : Mr.K.Dhananjayan [for R1]
Special Government Pleader

O R D E R

K.K. SASIDHARAN, J.

The second respondent secured appointment in Chennai Port Trust, on the strength of the Community Certificate issued to him indicating that he belongs to Sholaga Community, which is notified as a Schedule Tribe. There were proceedings against

the second respondent, resulting in terminating his services. The second respondent challenged the order terminating him from service before this Court in W.P. No.1451/2006. This Court, having found that the claim made by the second respondent with regard to his community status was pending before the State Level Scrutiny Committee, quashed the termination order and directed the State Level Scrutiny Committee to dispose of the matter. The second respondent retired from service on attaining the age of superannuation. It is the grievance of the petitioners that notwithstanding the direction given by this Court earlier, follow up action was not taken by the State Level Scrutiny Committee, for disposal of the proceedings regarding the community status of the second respondent. The petitioners are, therefore, before this Court.

2. We have heard the learned counsel for the petitioners. We have also heard the learned Special Government Pleader on behalf of the first respondent. Since the earlier proceedings were initiated by the second respondent and the matter is now pending before the State Level Scrutiny Committee, we dispense with the notice to the second respondent.

3. The documents available on record clearly indicate that direction was given by this Court in W.P. No.1451 of 2006 to the State Level Scrutiny Committee to dispose of the proceedings. Even today, the proceedings are pending before the State Level Scrutiny Committee.

4. We direct the first respondent to conclude the proceedings initiated with respect to the community claim made by the second respondent as expeditiously as possible and in any case, within a period of four weeks from the date of receipt of a copy of this order. It is needless to point out that reasonable opportunity should be given to the second respondent also before final orders are passed by the first respondent.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gms/msvm

To

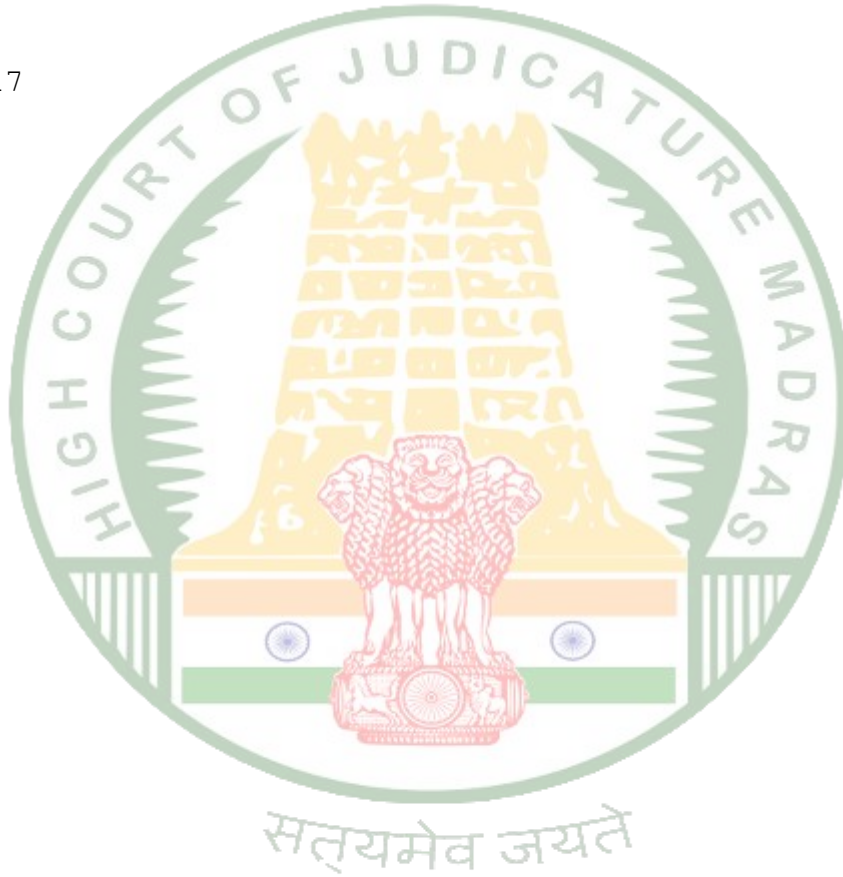
The State Level Scrutiny Vigilance Committee/
Principal Secretary to Government,
Adi Dravida and Tribal Welfare Department,
Fort St.George, Chennai 600 009.

+1cc to Mr.R.Karthikeyan, Advocate, S.R.No.42949

+1cc to the Government Pleader, S.R.No.43473

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SR(CO)
CS/04/07/17



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