

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T. RAJA

W.P.No.15358 of 2017

S.Ponnaiah

.. Petitioner

Vs.

1. The Principal Chief Conservator of Forest
Head of the Forest Force,
Panagal Building,
Saidapet, Chennai - 600 015.

2. The Forest Extension Officer,
Forest Extension Division,
Tirunelveli.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the first respondent to pass final orders on the disciplinary proceedings initiated by the second respondent in Na. Ka. 488/2012 dated 19.05.2015 by considering the petitioner's further representation dated 04.07.2016 on the Enquiry Officer's report within a limited time frame.

For Petitioner .. Mr.T.Dharani

For Respondents .. Mr.M.Santhanaraman
Addl. Government Pleader (Forests)

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O R D E R

Mr. M.Santhanaraman, learned Additional Government Pleader, accepts notice for the respondents. With consent, this writ petition is taken up for final disposal, at the admission stage itself.

2. This writ petition has been filed seeking for a writ of mandamus directing the 1st respondent to pass final orders on the disciplinary proceedings initiated by the 2nd respondent in Na. Ka. 488/2012 dated 19.05.2015 by considering the petitioner's further representation dated 04.07.2016 on the Enquiry Officer's report within a limited time frame.

3. The petitioner was initially appointed as Typist in the respondent department on 07.09.1990 and he was further promoted as Assistant on 28.06.2011 and fully eligible to be considered for further promotion to the post of Superintendent. The petitioner was subjected to disciplinary proceedings by issuance of a charge memo dated 19.05.2015 under Rule 17 (B) of the Tamil Nadu Civil Service (Discipline & Appeal) Rules, for which he has given a detailed explanation specifically denying and reputing each and every charge. Finding that the explanation offered by the petitioner was not satisfactory, Enquiry Officer was appointed. The Enquiry Officer after conclusion of enquiry, submitted a report on 06.08.2015. On receipt of the Enquiry Officer's report, the petitioner has also submitted his written representation on 04.07.2016.

4. But till date, it is stated that the respondents have not come forward to pass final order on the disciplinary proceedings initiated by the 2nd respondent. Hence, he sought for early disposal.

5. The learned Additional Government Pleader (Forests), appearing for the respondents sought for six weeks time for passing final orders on the disciplinary proceedings initiated by the second respondent.

6. Considering the request made by the learned Additional Government Pleader, the respondents are hereby directed to pass appropriate orders on merits after looking into all the documents and report of the Enquiry Officer and the written submission made by the petitioner within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

AT/gr.

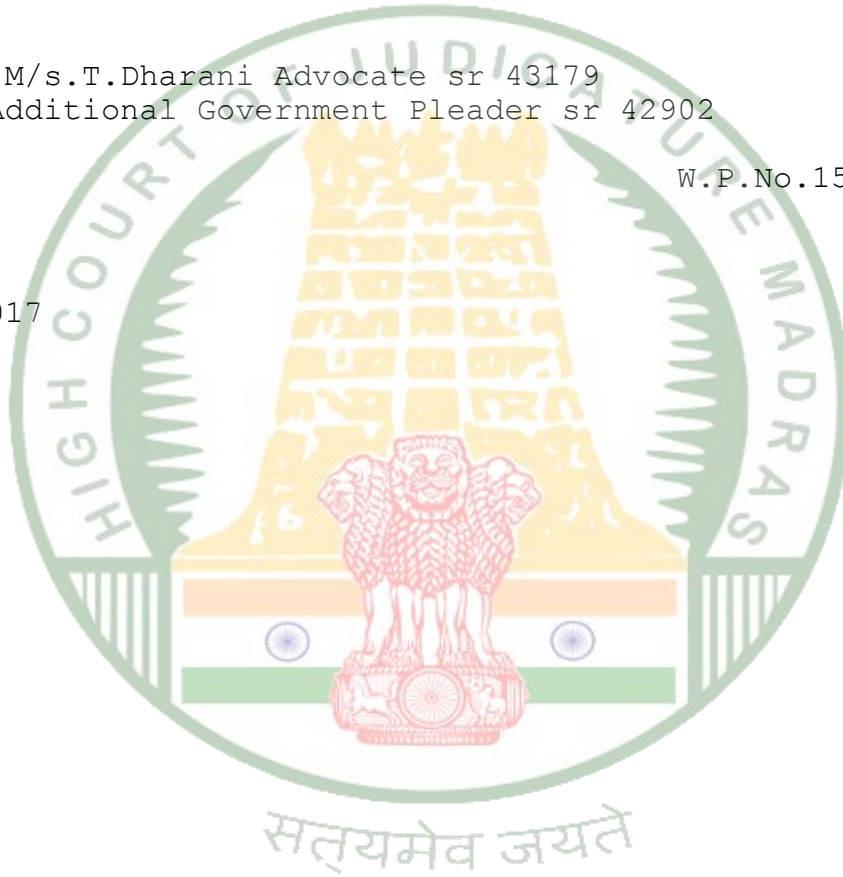
To

1. The Principal Chief Conservator of Forest
Head of the Forest Force,
Panagal Building,
Saidapet, Chennai - 600 015.
2. The Forest Extension Officer,
Forest Extension Division,
Tirunelveli.

+1 cc to M/s.T.Dharani Advocate sr 43179
+1 cc to Additional Government Pleader sr 42902

W.P.No.15358 of 2017

sr(co)
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