

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.26011 of 2017

K.Subramanian .. Petitioner

-vs-

1. Director of Handloom & Textiles
Kuralagam, Chennai 600 108
2. Joint Director of Handlooms (Textiles)
Enquiry Officer
Office of the Director of Handlooms
and Textiles
Kuralagam, Chennai 600 108
3. Assistant Director of Handlooms and Textiles
26, Lalbahadur Sastri Street
Periakuppam
Tiruvallur 602 001 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to consider and pass orders on the representation dated 16.08.2017 of the petitioner on merits and in accordance with law, before a date that may be specified.

For Petitioner :: Mr.P.Anbarasan

For Respondents :: Mr.L.P.Shanmughasundaram
Special Government Pleader

ORDER

The petitioner was suspended from service on 24.7.2000 for some alleged irregularities and both criminal and disciplinary proceedings were instituted against him. In the meanwhile, since he attained the age of superannuation on 31.7.2000, his services were extended beyond 31.7.2000 and a charge sheet was also issued to him on 2.4.2001. However, the enquiry was withheld. In the meanwhile, the criminal case was taken up for final hearing and he was acquitted of all the charges by a judgment dated 20.9.2016 passed by the learned First Additional Sessions Judge, Tiruvallur in Criminal Appeal No.47 of 2015. Pursuant thereto, he has given a representation requesting the

respondents to drop the disciplinary proceedings and for passing orders as to the sanction of retiral benefits. Since the said representation has not been considered, he is before this Court.

2. Mr.L.P.Shanmughasundaram, learned Special Government Pleader, taking notice on behalf of the respondents, submitted that since the departmental disciplinary proceedings are pending against the petitioner, sought for twelve weeks time to pass orders on the representation as well as to pass final orders in the pending disciplinary proceedings initiated against the petitioner.

3. In view of the above, the first respondent is hereby directed to pass final orders both on the representation submitted by the petitioner as well on the departmental disciplinary proceedings, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Director of Handloom & Textiles
Kuralagam, Chennai 600 108
2. The Joint Director of Handlooms (Textiles)
Enquiry Officer
Office of the Director of Handlooms
and Textiles
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3. The Assistant Director of Handlooms and Textiles
26, Lalbahadur Sastri Street
Periakuppam
Tiruvallur 602 001

+1 cc to P.Anbarasan,advocate,sr.71436

+1 cc to Govt.Pleader,sr.72111.

W.P.No.26011 of 2017

krd 25/10/2017