

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.16314 of 2017
and
WMP.Nos.17645, 21093, 22994 and 22995 of 2017

K.Rasu

.. Petitioner

Vs

1.The Agricultural Production
Commissioner and Principal Secretary to Govt.,
Fort St. George, Chennai – 9.

2.The Director of Agriculture,
Chepauk, Chennai – 5.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records relating to G.O.(3D) No.172, Agriculture (AA2) Department, dated 20.06.2017 issued by the Agricultural Production Commissioner and Principal Secretary to Government, Agricultural Department, Chennai, the first respondent herein, quash the same and direct the respondents herein to post the petitioner as Deputy Director of Agriculture hitherto held or in any one of the existing vacancy available on the date of filing of this writ petition in the office of the second respondent as directed by this Court in its order dated 15.3.2017 made in W.P.No.39537 of 2016 with all consequential service and monetary benefits withheld on account of the

suspension order and allow him to retire from service on reaching the age of superannuation on 31.01.2018.

For petitioner : Mr.K.Rajkumar

For Respondent : Mr.T.M.Pappaiah, Spl.GP

ORDER

The petitioner has filed this writ petition challenging the Government Order passed in G.O.(3D) No.172, Agriculture (AA2) Department, dated 20.06.2017, by the first respondent, in and by which, he was placed under suspension.

2. This Court, by order dated 14.07.2017, passed an order of interim stay of the impugned suspension order. Pursuant to the said interim order, the first respondent, vide G.O.(D).No.226, Agriculture (AA2) Department, dated 28.08.2017, revoked the said suspension order subject to the result of the present writ petition.

3. At this juncture, when the matter is taken up today, learned counsel for the petitioner submitted that since the petitioner is left with only four

months of service, a direction may be issued to the concerned authorities to complete the departmental proceedings, for, if the pending disciplinary proceedings initiated by way of issuing the charge memo dated 22.03.2017 are not completed, he will not be in a position to receive his pensionary benefits. It is also further submitted that on receipt of the charge memo dated 22.03.2017, the petitioner has also submitted his detailed explanation on 17.06.2017.

4. Per contra, learned Special Government Pleader appearing for the respondents sought for three months time to complete the disciplinary proceedings initiated against the petitioner.

5. In view of the above, the respondents are directed to complete the disciplinary proceedings initiated against the petitioner and thereby pass a final order on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. Accordingly, WMP.No.22995 of 2017 is ordered.

6. Since the petitioner has been reinstated in service as could be seen from the order passed by the first respondent in G.O.(D).No.226, Agriculture

(AA2) Department, dated 28.08.2017, the present writ petition filed by the petitioner challenging impugned suspension order is closed. Consequently, all other connected miscellaneous petitions are closed. No Costs.

15.09.2017

rkm
Index:yes/no

To

- 1.The Agricultural Production
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Fort St. George, Chennai – 9.
- 2.The Director of Agriculture,
Chepauk, Chennai – 5.



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T.RAJA, J.

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