

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2017

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.17823 of 2017

M.Nallathambi

...

Petitioner

Vs

1. The Secretary,
Revenue Department,
Fort St. George,
Chennai - 600 009.

2. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.

3. The District Collector,
Salem, Salem District.

4. The Revenue Divisional Officer,
Mettur Dam-1, Salem District.

5. The Tahsildar,
Taluk Officer, Mettur Taluk,
Salem District.

.... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass final order in the charge memo dated 12.01.2012 in proceeding Na.Ka.No.97-2012 (B) issued by the 4th respondent within a time frame and consequently direct the respondents to settle the all terminal benefits payable to the petitioner.

For Petitioner : Mr.M.Elango

For Respondents : Mr.C.C.Ranga Rajan
Government Advocate

ORDER

The limited prayer sought for in this writ petition is for a direction to direct the respondents to conclude the disciplinary proceedings initiated against the writ petitioner vide charge memo dated 12.01.2012 by the 4th respondent.

2. The writ petitioner was appointed as Village Administrative Officer and with regard to the alleged irregularities committed by him a charge memo was issued by the fourth respondent in proceedings Na.Ka.No.97-2012 (B) dated 12th January 2012.

3. The writ petitioner was allowed to retire from service vide order dated 31st January 2012 without prejudice to the disciplinary proceedings pending against him.

4. The learned counsel appearing for the writ petitioner contended that though the charge memo was issued on 12th January 2012 and the writ petitioner was allowed to retire from service on 31st January 2012, the respondents have not concluded the disciplinary proceedings and the retirement benefits due to the writ petitioner was also not settled for the past 5 years. A diligent completion of the disciplinary proceedings ought to be undertaken by the disciplinary authority concerned, without any undue delay on the part of the writ petitioner, who is facing the charges. Therefore, the attitude of the officials causing unnecessary delay in concluding the disciplinary proceedings is to be deprecated and it is necessary to state that in the event of such delay, the officer responsible is also to be taken note of.

5. Under these circumstances, without adjudicating the merits of the charges, this Court is inclined to direct the 4th respondent to complete the enquiry in all respects by providing reasonable opportunities as per Rules to the writ petitioner and pass final orders in the disciplinary proceedings within a period of six weeks from the date of receipt of a copy of this Order.

6. With this direction, the writ petition stands disposed of. However, there is no order as to costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

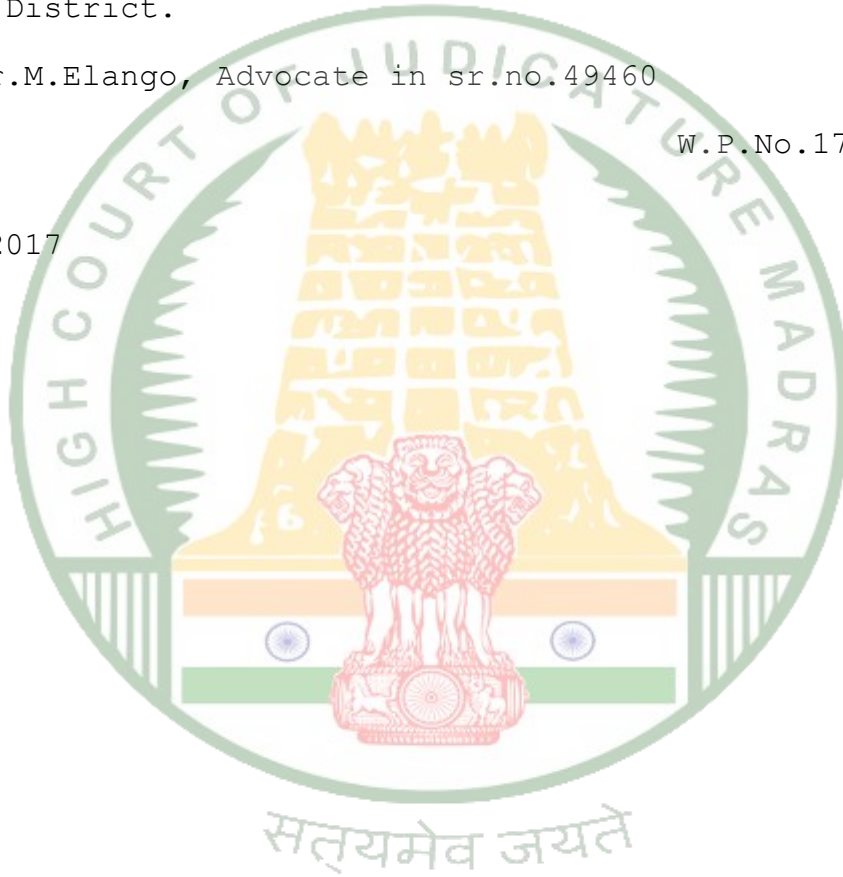
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+1cc to Mr.M.Elango, Advocate in sr.no.49460

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SK(CO)
NR 27/07/2017



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