

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2017

CORAM

THE HON'BLE Mr. JUSTICE V.PARTHIBAN

W.P.No.29240 of 2014
and M.P. No.1 of 2014, M.P.No.1 of 2015
and WMP No.15366 of 2017

Dr.S. Raja Rajan

.. Petitioner

Vs.

Director of Medical and Rural Health
Services (ESIS),
Teynampet,
Chennai - 600 006

.. Respondent

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorari to call for the records on the file of the respondent in Ref No.27390/ESI/SC/2/2012 dated 19.09.2014 and quash the same.

For Petitioner ... Mr.K. Ramanraj

For respondent .. Mr.T.M. Pappiah
Spl.Govt. Pleader

ORDER

The present writ petition is filed, challenging the charge memo issued against the petitioner vide proceedings dated 19.09.2014.

2.At the time when the writ petition was admitted, interim stay of the disciplinary action initiated against the petitioner, was granted. However, subsequently, it appears that the said order was modified by this Court vide order dated 30.04.2015 directing the Department to proceed with the departmental enquiry.

3.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

4.On being questioned about the status of the departmental enquiry, it is stated by the learned Special Government Pleader

appearing for the respondent that the enquiry is still pending despite the direction issued by this Court. However, this Court finds that there are no sufficient grounds raised in the writ petition in order to interfere with the present stage of issuance of charge memo. However, considering the delay in completing the disciplinary proceedings, there shall be a direction to the respondent to complete the enquiry within a period of three months from the date of receipt of a copy of this order. It is made clear that the departmental action should be completed within the said period and in case, it is not completed, the same will lapse as no further proceedings can be proceeded against. This order is issued on the basis of the fact that the petitioner has already retired from service with effect from 31.05.2015. On completion of the enquiry within the stipulated period as set out above, the petitioner shall be informed of the same. It is also made clear that the petitioner, on his part, shall extend fullest cooperation to the enquiry for early completion.

5. With the above direction, the writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

mmi

To

The Director of Medical and Rural Health
Services (ESIS),
Teynampet,
Chennai - 600 006.

+1 CC to Ms. R. Ramasamy, Advocate sr 52284.

+1 CC to Govt. Pleader sr 53328.

W.P.No.29240 of 2014

KJ (CO)
sp (18/08/2017)