

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-10-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25560 of 2009

And

MP Nos.2 of 2009 and 1 of 2011

S.Nageswaran

..

Petitioner

-vs-

1.The Secretary to Government,
Public Works Department,
Fort St. George,
Chennai-9.

2.The Engineer In-charge, WRO
and Chief Engineer (General),
Public Works Department,
Chepauk,
Chennai-5.

..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent in connection with the impugned charge memo in CII(1)/14442/97-4 dated 25.3.1998 and quash the same and direct the respondents to superannuate the petitioner from service and grant him all consequential service and monetary benefits.

For Petitioner

- Mr.M.Muthappan

For Respondents

- Mr.K.Thangapandi,
Government Advocate.

ORDER

The learned counsel, appearing for the writ petitioner, has fairly made a submission that pursuant to the charge memo impugned in this writ petition, the enquiry proceedings were initiated and the Enquiry Officer also had submitted a report in this regard.

2. Under these circumstances, the question of quashing the charge memo dated 25.3.1998, in this writ petition, does not arise at all. The Disciplinary Authority has proceeded with the charges and concluded the enquiry and a final order is yet to be passed.

3. Thus, the respondents are at liberty to pass final orders in the disciplinary proceedings, by affording an opportunity to the writ petitioner to submit his further explanations/objections/documents on the enquiry report and such an order shall be passed by the respondents, within a period of six weeks from the date of receipt of a copy of this order.

4. With this direction, the writ petition stands disposed of. However there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Speaking/Non speaking Order
Index : yes/no
Svn

06-10-2017

To

- 1.The Secretary to Government,
Public Works Department,
Fort St. George,
Chennai-9.
- 2.The Engineer In-charge, WRO
and Chief Engineer (General),
Public Works Department,
Chepauk,
Chennai-5.



WEB COPY

S.M.SUBRAMANIAM, J.

Svn



W.P.No.25560 of 2009

WEB COPY

06-10-2017