

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27252 of 2013
and
M.P.No.1 of 2013

A.Kirubakaran

...Petitioner

Vs.

1. The State of Tamil Nadu
Rep. By the Principal Secretary to
Government & Special Commissioner
for Revenue Administration,
Chepauk, Chennai - 600 005.

2. The District Collector,
Krishnagiri District,
Krishnagiri.

...Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records of the 2nd respondent made in Ref.No.ROC.34987/2002/A.1 dated 30.01.2010 and consequent order in Ref.No.ROC.34987/2009/A.1 dated 31.01.2010 and quash the same.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader.

सत्यमेव जयते
O R D E R

The order of suspension issued against the writ petitioner on the eve of his retirement and the consequential order of retention of his services under Rule 56(1)(c) of the Fundamental Rules are under challenge in this writ petition.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that the writ petition was filed initially on the ground that there was an enormous delay in completing the disciplinary proceedings even after the date of retirement of the writ petitioner. However, the learned counsel now made a submission fairly that during the pendency of the writ petition the respondents have framed the charges, completed

the enquiry proceedings and the enquiry officer also submitted his report in this regard. Thus, the first respondent has to communicate the copy of the enquiry report along with a show cause notice and on receiving the objections/explanations from the writ petitioner, a final decision has to be taken and an order to be passed in the disciplinary proceedings.

3.Hence, the learned counsel made a representation that it is suffice, if a direction is issued to complete the disciplinary proceedings in all respects so as to facilitate the writ petitioner and to get his terminal and pay benefits without any further delay.

4.Accordingly, the first respondent is directed to complete the disciplinary proceedings in all respects and pass final orders in the disciplinary proceedings within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is also directed to co-operate for the disposal of the disciplinary proceedings by not delaying the submissions of any explanations/objections if, called for by the first respondent.

5.Accordingly, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitioner is also closed.

Sd/-
Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

smn/rm

To

1. The Principal Secretary to Government &
Special Commissioner for Revenue Administration,
Chepauk, Chennai - 600 005.

2. The District Collector,
Krishnagiri District,
Krishnagiri.

+1cc to Mr.K.GОВI GANESAN, Advocate, S.R.No. 81942
+1cc to the Government Pleader, S.R.No. 82866

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TR(07/12/2017)