IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-08-2017

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.40186 of 2016

T.Thambidurai .. Petitioner

vs.

1.The Principal Secretary to Government,
Commercial Taxes and Registration(E2)
Department,
Fort St. George,
Chennai-600 009.

2.The Principal Secretary/Commissioner of
Commercial Taxes,
Chepauk,
Chennai-600 005. .. Respondents

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order of the first respondent herein passed in G.O.(2D) No.42, Commercial Taxes and Registration (E2) Department, dated 30.10.2014 placing the petitioner under suspension and the consequential order passed by the first respondent herein in G.O.(2D) No.44, Commercial Taxes and Registration (E2) Department, dated 31.10.2014 retaining the petitioner in service and quash the same and consequently direct the respondents herein to allow the petitioner to retire from service with effect from 31.10.2014 with all retirement benefits.

For Petitioner : Mr.Ravi Shanmugam

For Respondents-1&2: Mr.S.Kanmani Annamalai,
Additional Government Pleader (Taxes)

O R D E R

The writ petition is filed by the writ petitioner questioning the order of suspension dated 30.10.2014 and the consequential order issued on 31.10.2014.

2. The learned counsel appearing for the writ petitioner submitted that the Government issued G.O.(2D) No.65, Commercial Taxes and Registration (E2) Department, dated 28.9.2016, dropping of action against the writ petitioner in respect of main allegation of acquisition of assets disproportionate to his known sources of income in his name and in the name of his family members. However, another charge was proceeded with against the writ petitioner and an enquiry was conducted on the charge memo issued on 6.3.2014.

3. The learned counsel for the writ petitioner submits that the departmental domestic enquiry was conducted on 11.3.2016 and a report was also submitted. Pursuant to the report, the writ petitioner has submitted his explanations/objections on the enquiry report and the authorities have to pass final orders in the disciplinary proceedings.

4. In this view of the matter, it is suffice if a direction is issued

to conclude the disciplinary proceedings. Accordingly, the first respondent is directed to conclude the enquiry by passing final orders in the disciplinary proceedings against the writ petitioner on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition stands disposed of. However, there shall be no order as to costs.

08-08-2017

Speaking Order/Non-Speaking Order.
Index : Yes/No.
Internet : Yes/No.
Svn

To

1.The Principal Secretary to Government,
Commercial Taxes and Registration(E2)
Department,
Fort St. George,
Chennai-600 009.

2.The Principal Secretary/Commissioner of
Commercial Taxes,
Chepauk,
Chennai-600 005.

**S.M.SUBRAMANIAM, J.**

Svn

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