

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 05.06.2017****CORAM****WEB COPY****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P. (MD) .No.10346 of 2017****and****W.M.P. (MD)No.7929 of 2017**

D.Suresh Kumar, Assistant Executive Engineer(Municipal),
Nagercoil Municipality, Nagercoil,
Kanyakumari District.

..Petitioner**Vs.**

1. The Principal Secretary,
Government of Tamil Nadu,
Department of Municipal Administration and Water Supply,
Fort St. George, Chennai.
2. The Commissioner of Municipal Administration,
O/o. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
3. The Commissioner, Nagercoil Municipality,
Nagercoil, Kanyakumari District.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pass final orders on the disciplinary proceedings initiated against the petitioner vide charge memo issued by the second respondent in Roc.No.20430/2006/OF3, dated 24.10.2010, within the time that may be stipulated by this Court.

For Petitioner	: Mr.M.Mahaboob Athiff, for M/s.Ajmal Associates.
For R-1 & R-2	: Mr.M.Murugan, Government Advocate.
For R-3	: Mr.P.Athimoolapandian

*********O R D E R**

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the first respondent to pass final orders on the disciplinary proceedings initiated against the petitioner vide charge memo issued by the second



respondent in Roc.No.20430/2006/OF3, dated 24.10.2010, within the time that may be stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

3. Mr.M.Murugan, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.P.Athimoolapandian, learned counsel takes notice for the third respondent. By consent, the Writ petition itself is taken up for final disposal.

4. This is a case where the charge memo was issued in the year 2010 and the enquiry report itself was submitted in the year 2014.

5. The grievance of the petitioner is that the respondents have not passed final orders, despite the fact that the enquiry report has been submitted in the year 2014. Hence, the petitioner seeks indulgence from this Court to direct the first respondent to pass final orders on the disciplinary proceedings initiated against the petitioner.

6. Considering the limited scope of the prayer in the Writ petition, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The first respondent is directed to pass final orders on the disciplinary proceedings initiated against the petitioner vide Charge Memo issued by the second respondent, dated 24.10.2010, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order."

7. Accordingly, the Writ petition is disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary,
Government of Tamil Nadu,

<https://hcservices.tn.gov.in/hcservices/>
Department of Municipal Administration and Water Supply,
Fort St. George, Chennai.



2. The Commissioner of Municipal Administration,
O/o. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

3. The Commissioner,
Nagercoil Municipality,
Nagercoil, Kanyakumari District.

+1cc to Spl.Government Pleader Sr.No.58557

+1cc to M/s. Ajmal Associates, Sr.No.58663

PMU

VB/KKR/SAR1/09.06.2017/3P/6C

ORDER MADE IN
W.P. (MD) .No.10346 of 2017
05.06.2017