



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.11360 of 2017

V. Raja

...Petitioner

Vs.

1.The Principal Secretary to Government,
Labour and Employment (E1) Department,
Secretariat, Chennai - 600 009

2.The Commissioner of Labour,
Teynampet,
Chennai - 600 006.

..Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent i.e the Principal Secretary to Government, Labour and Employment (E1) Department, Secretariat, Chennai to pass appropriate orders on the disciplinary action initiated against the petitioner in memo No.F1/4332/2011, dated 16.07.2013 by the Commissioner of Labour, Chennai based on the report of the above said two committees constituted as per the guidelines of the Government within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S. Visvalingam

For Respondents : Mr.C. Selvaraj
Special Government Pleader

O R D E R

This Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the directing the first respondent i.e the Principal Secretary to Government, Labour and Employment (E1) Department, Secretariat, Chennai to pass appropriate order on the disciplinary action initiated against the petitioner in memo No.F1/4332/2011 dated 16.07.2013 by the Commissioner of Labour, Chennai based on the report of the above said two committees constituted as per the guidelines of the Government within a specified time frame that may be fixed by this Court.



2. Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.

3. By consent the Writ Petition itself is taken up for final disposal.

4. The learned counsel appearing for the petitioner says that due to the pendency of the disciplinary proceedings, the petitioner was retained in service. An Enquiry Officer was appointed and enquiry was conducted. However, even after enquiry, the Enquiry Officer has submitted the report that the charges against the petitioner have not been proved and no further action has been taken by the disciplinary proceedings. However, in view of the pendency of the disciplinary proceedings, the petitioner was not allowed to retire.

5. Taking into consideration the grievance of the petitioner and the limited scope of the prayer in the Writ petition, the Writ Petition is disposed of with a direction to the first respondent, to pass final orders on the disciplinary proceedings initiated against the petitioner, vide charge memo dated 16.07.2013, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
Labour and Employment (E1) Department,
Secretariat, Chennai - 600 009

2.The Commissioner of Labour,
Teynampet,
Chennai - 600 006.

+1 cc to Mr.S.Visvalingam , Advocate in SR.No. 61497

+1 cc to Special Government Pleader in SR.No.61974

trp

AE/JC/SAR1/05.07.2017/2P/5C