



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.13105 of 2017

P.Kalyanasundaram

... Petitioner

vs.

1.The Agricultural Production Commissioner & Principal
Secretary to Government,
Agriculture Department,
Secretariat,
Chennai-600 009.

2.The Director of Horticulture & Plantation Crops,
Horticulture Department,
Chepauk,
Chennai-600 005.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying issuance of Writ of Mandamus, directing the first respondent i.e., the Agricultural Production Commissioner and Principal Secretary to Government, Agriculture Department, Chennai to pass appropriate orders on the disciplinary action initiated by the Commissioner of Horticulture and Plantation Crops, Chennai, in his memo No.DCS2/5657/2013 dated 19.06.2013 within a specific time frame fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.K.Guru,

Additional Government Pleader

ORDER

By consent of both sides, this writ petition itself is taken up for final disposal.

2.The petitioner while serving as Assistant Director of Horticulture, Thiruppuavanam, Manamadurai Taluk, Sivagangai District, has been allowed to retire from service on 30.06.2017 after attaining the age of Superannuation and the pending disciplinary proceedings is allowed to continue under Rule 9 of the Tamil Nadu Pension Rules 1978 as per G.O.(D)No.177, Agriculture Department dated 30.06.2017 passed by the Director of Agriculture, Chennai.



3. In the meanwhile, the disciplinary proceedings also came to an end and enquiry report has been submitted on 30.12.2015. Subsequently, the same has been communicated to the petitioner on 11.03.2016 by the Government. In the background, the grievance of the petitioner is that after completion of the process in the aforementioned disciplinary proceedings no final order has been passed till date. Therefore, the petitioner is before this Court seeking direction to the respondents to pass final orders in the disciplinary proceedings.

4. Mr. K. Guru, learned Additional Government Pleader, takes notice for the respondents and sought sufficient time to consider the representation dated 13.05.2016 and to pass final orders in the said proceedings.

5. This Court, considering the fact that the enquiry of the Disciplinary Proceedings already have come to an end, a report thereof, has been submitted on 30.12.2015 and the copy of the same has been communicated to the petitioner on 11.03.2016 by the Government, hereby, directs the first respondent to pass final orders in the disciplinary proceedings, within a period of four weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Agricultural Production Commissioner & Principal
Secretary to Government,
Agriculture Department,
Secretariat, Chennai-600 009.

2. The Director of Horticulture & Plantation Crops,
Horticulture Department,
Chepauk, Chennai-600 005.

+One cc to Mr. S. Visvalingam, Advocate, SR.No.65718

Mrn/RR

RL/4C/2P/SKN/RSK/SAR1/1/8/2017

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