



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.13802 of 2017

and

W.M.P. (MD) .No.10756 of 2017

M.Moorthi

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Tuticorin District.

2.The Sub Collector,
Sub Collector Office,
Tuticorin.

3.The Tahsildar,
Tuticorin Taluk,
Tuticorin District.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, directing the 2nd respondent to pass an order on the Domestic Enquiry Report dated 21.02.2017 in his proceedings Na.Ka.A/159/2016 vide the Petitioner's representation dated 15.05.2017.

For Petitioner

: Mr.P.Banuprasath

For Respondent

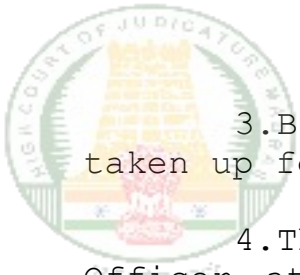
: Mr.D.Muruganantham

Additional Government Pleader

O R D E R

The petitioner has come up with this writ petition seeking a direction directing the second respondent to pass an order on the Domestic Enquiry Report dated 21.02.2017 in his proceedings Na.Ka.A/159/2016 vide the Petitioner's representation dated 15.05.2017.

2.Heard Mr.P.Banuprasath, learned counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.



3. By consent of both sides, the writ petition itself is taken up for final hearing.

4. The petitioner while serving as a Village Administrative Officer at Maravanmadam Village, Tuticorin District, was issued with a charge memo under Rule 17(b) of Tamil Nadu Civil Service (D&A) Rules, alleging various lapse and irregularities. Finally, after completion of enquiry, the Enquiry Officer submitted his report on 21.02.2017. The said report was furnished to the petitioner along with show cause notice dated 05.05.2017 issued by the second respondent calling upon him to submit his explanation to the report of the Enquiry Officer and on receipt of the said notice, the petitioner sent a representation dated 15.05.2017 to the second respondent to drop the Departmental Disciplinary Proceedings, pursuant to the Enquiry Report. The said representation was received by the second respondent on 16.05.2017. But, the grievance of the petitioner is that the Disciplinary Authority has not come to pass final order on the report of the Enquiry Officer. Therefore, a direction may be given to the respondents.

5. The learned Additional Government Pleader appearing for the respondents sought for eight weeks time to pass appropriate orders on the report of the Enquiry Officer.

6. Therefore, this Court directs the Sub-Collector, Tuticorin, second respondent, to pass appropriate orders on the disciplinary proceedings, since the Enquiry Report has already been filed and the petitioner has also filed his written representation, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector, Collectorate, Tuticorin District.

2. The Sub Collector, Sub Collector Office, Tuticorin.

3. The Tahsildar, Tuticorin Taluk, Tuticorin District.

+One cc to Mr. P. Banu Prasath, Advocate, SR.No.67914

+One cc to The Special Government Pleader, SR.No.68691