



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

W.P. (MD).No 13933 of 2017

M.Raman

... Petitioner

Vs.

The District Collector,
Madurai District,
Madurai.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent ie., the District Collector, Madurai to pass appropriate orders in the above said disciplinary action initiated by the District Collector, Madurai in his memo No.A5/53747/2016 dated 30.12.2016 on merits and in accordance with law before the date of the petitioner's superannuation ie., on 31.07.2017.

For Petitioner

: Mr.S.Visvalingam

For Respondent

: Mr.K.Guru

Additional Government Pleader

ORDER

By consent of both parties, this Writ Petition itself is taken up for final disposal.

2.The petitioner while serving as a Special Tahsildhar (Civil Supply West Zone), Madurai District, suffered initiation of department proceedings in Collector's Memo No.A5/53747/2016 dated 30.12.2016. On receipt of the said charge memo, the petitioner has submitted his explanation on 15.03.2017, denying the charges. Finally, the Disciplinary Authority finding no merits in the explanation, appointed an Enquiry Officer to proceed with the enquiry and on completion of the enquiry, the Enquiry Officer submitted his report on 14.07.2017, holding that the charges were not established. A copy of the report has also been furnished to the petitioner on 14.07.2017.

3.A perusal of the report also would show that the said charge levelled against the petitioner has not been proved. Therefore, the petitioner has given a representation for passing final order. Since the same is pending for quite a long time, the petitioner has come before this Court seeking a direction to pass final order on the pending disciplinary proceedings.



4.The learned Additional Government Pleader appearing for the respondent also would submit that the report has been filed finding the petitioner not guilty. He further submitted that a case is pending before the Tribunal for Disciplinary Proceedings also.

5.In view of the above, this Court is unable to find any merit for not passing order on the completed enquiry. When the Enquiry Officer in his report dated 14.07.2017 has come to the conclusion that the charges levelled against the petitioner are not proved, it is appropriate on the part of the Disciplinary Authority to pass final order. Hence, the respondent is hereby directed to pass final order based on the report of the Enquiry Officer within a period of two weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

The District Collector,
Madurai District,
Madurai.

+ 1 CC TO MR.S.Visvalingam, ADVOCATE IN SR No.68084

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.68905

mr/vsg

MK/SKN RSK/SAR-1/10.10.2017/2P/4C

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