



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD) No.16341 of 2016

WEB COPY

K.Rajendran

... Petitioner

Vs.

1. The Secretary to Government,
Home Department,
Secretariat,
Chennai - 600 009.

2. The Deputy Transport Commissioner,
(Opposite to Collectorate Complex),
Virudhunagar.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issue of a Writ of Mandamus, directing the first respondent i.e., the Secretary to Government, Home Department, Chennai to appoint the enquiry officer within a specified time frame and dispose off the reinstituted disciplinary action by the Deputy Transport Commissioner, Virudhunagar, in his memo No.686/A3/2014 dated 13.06.2016 within a specified time frame since the delinquency relates to the year 2012 and earlier charge memo was also cancelled by the Government at the final stage in G.O.(D) No.435 Home (Tr-II) Department dated 20.05.2016 within a specified time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Visuvalingam

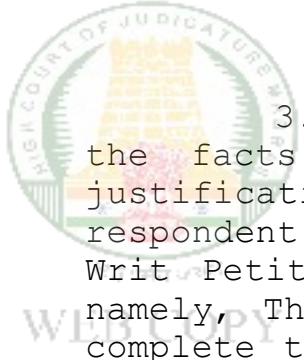
For Respondents : Mr.M.Murugan

Government Advocate.

ORDER

This Writ Petition has been filed by the petitioner only for issuance of a Writ of Mandamus, directing the first respondent to appoint the enquiry officer within a specified time and dispose of the disciplinary action vide charge memo dated 13.06.2016 within a time specified by this Court.

2. The learned counsel for the petitioner submitted that the Enquiry Officer has now been appointed and this fact also has been confirmed by the learned Government Advocate, appearing for the respondents. It is also the grievance of the petitioner that the delinquency alleged was of the year 2012 and the pendency of proceeding for such a long time will cause serious prejudice. It is also submitted that earlier charge memo issued against the petitioner was cancelled by the Government itself.



3. Having regard to the limited scope of the prayer and the facts and circumstances, this Court find that there is justification for issuing appropriate direction to the first respondent to complete the disciplinary proceedings. Hence this Writ Petition is partly allowed, directing the first respondent namely, The Secretary to Government, Home Department, Chennai to complete the disciplinary proceedings and dispose of the same by passing final orders on the disciplinary action initiated by the Deputy Transport Commissioner, Virudhunagar, vide his charge memo dated 13.06.2016, within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Home Department,
Secretariat,
Chennai - 600 009.

2. The Deputy Transport Commissioner,
(Opposite to Collectorate Complex),
Virudhunagar.

+1 CC to M/s.S.VISVALINGAM, Advocate, SR No. 60773/17.

ARUL/CMR

PSM/KP/SAR2/06.07.2017/2P/4C

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