

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.731 of 2018

R.S.Mani

.. Petitioner

-vs-

1. The Secretary to Government
Rural Development and Panchayat Raj
(E3) Department
Fort st. George
Chennai 600 009
 2. The Director of Rural Development
& Panchayat Raj
Panagal Building
Saidapet
Chennai 600 015
 3. The District Collector
Panchayat Development Section
Collectorate
Villupuram District
- ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to pass orders on the disciplinary proceedings initiated against the petitioner by the third respondent in RC.No.PA5/9818/2009 dated 24.11.2009 within a reasonable time.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.R.S.Selvam
Government Advocate

ORDER

This writ petition has been filed seeking a mandamus, directing the disciplinary authority to pass final orders on the pending disciplinary proceedings initiated against the petitioner.

2. When the petitioner was serving as Junior Engineer in Thiyyagadurgam Panchayat Union, Villupuram District, a charge

sheet was issued on 24.11.2009 containing three charges. On receipt of the same, the petitioner submitted his detailed explanation on 5.6.2010 denying the same. However, the disciplinary authority, rejecting the explanation, appointed an enquiry officer who, after completing the enquiry, by giving a fair and reasonable opportunity to both sides, submitted the report on 25.6.2014 and a copy thereof was also furnished to the petitioner along with the second show cause notice dated 18.11.2014 calling upon him to submit his written representation to the enquiry report. Accordingly, the petitioner also has submitted his written representation on 6.2.2015. But till date, the respondents have not even come forward to pass any final order. It is pleaded that the petitioner is having only one year of left over service.

3. Mr.R.S.Selvam, learned Government Advocate, taking notice on behalf of the respondents, sought for sufficient time.

4. This Court, taking into account that the charge memo was issued on 24.11.2009 and the enquiry report also was submitted on 25.6.2014 and thereupon the petitioner had also given his further written representation on 6.2.2015 to the enquiry officer's report after receiving the second show cause notice, hereby directs the disciplinary authority to pass appropriate final orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

ss

To

1. The Secretary to Government
Rural Development and Panchayat Raj
(E3) Department
Fort st. George
Chennai 600 009

2. The Director of Rural Development
& Panchayat Raj
Panagal Building

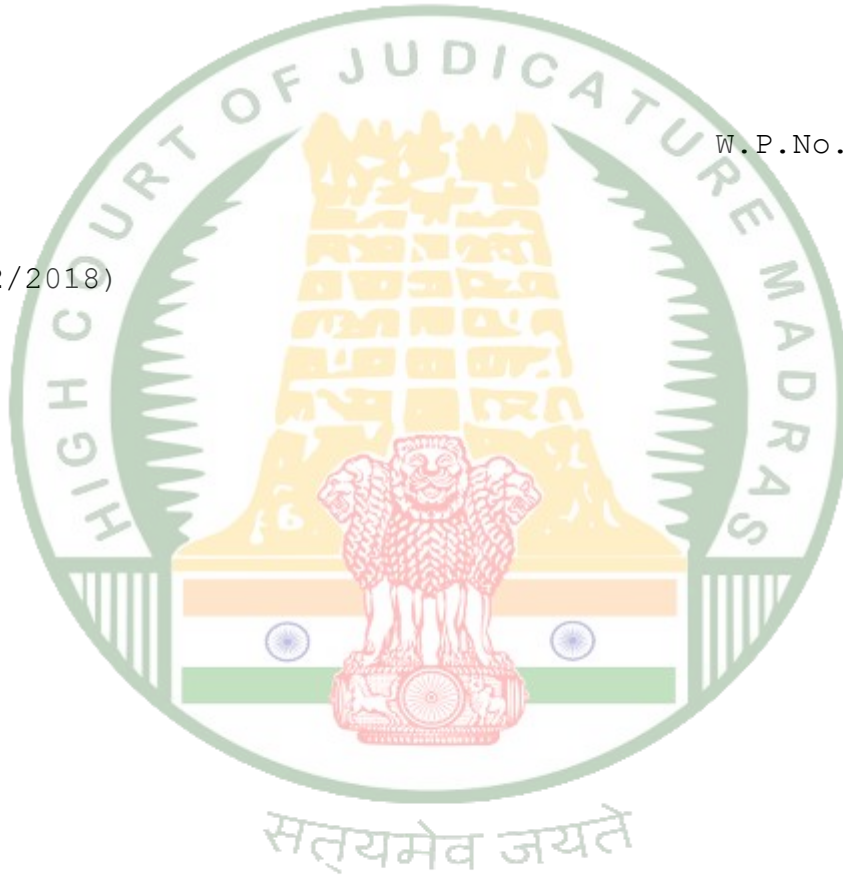
Saidapet
Chennai 600 015

3. The District Collector
Panchayat Development Section
Collectorate
Villupuram District

+1cc to Mr.M.Muthappan, Advocate, SR No.3078
+1cc to The Government Pleader, SR No.3314

W.P.No.731 of 2018

KS(CO)
rsi (03/02/2018)



WEB COPY