

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:02.04.2018
CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.7314 of 2018

M.Veerappan

.. Petitioner

vs

1.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Director of Town Panchayat,
Kuralagam, Chennai - 600 108.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to pass appropriate orders on the objections submitted by the petitioner dated 15.11.2017 in response to the proceedings of 2nd Respondent in Na.Ka.No.1686-3/2011/A4 dated 02.11.2017 and consequently direct the respondents to settle the retirement benefits with regular pension to the Petitioner from the date of retirement on 31.01.2011, within a time frame to be fixed by this Hon'ble Court.

For Petitioner : M/s.G.Sankaran

For Respondents : M/s.Srijayanathi, Spl GP

O R D E R

The relief sought for in this writ petition is to pass orders based on the objections submitted by the writ petitioner on 15.11.2017 in response to the proceedings of the 2nd respondent dated 02.11.2017 and consequently settle all his terminal and pensionary benefits.

2.The writ petitioner was appointed as Junior Assistant and thereafter promoted to the post of Assistant. Finally, the petitioner was promoted as Grade-I Executive Officer in 1992 and Selection Grade Officer in 1996 and Special Grade Executive Officer in 2005. The writ petitioner had already attained the age of superannuation on 31.01.2011. On account of the pendency of the disciplinary proceedings, the terminal and pensionary benefits are not settled to the writ petitioner at the time of his retirement. However, the disciplinary proceedings were processed and a final notice was issued by the 2nd respondent in proceedings dated 02.11.2017 and thereby proposed to impose the

punishment of cut in pension of Rs.1,000/- for twelve months. The learned counsel for the petitioner states that pursuant to the said notice dated 02.11.2017, the petitioner submitted an objections/explanations on 15.11.2017. The grievance of the writ petitioner is that in spite of the submission of explanations, no final order has been issued and he is deprived of his terminal and pensionary benefits for the past about seven and half years(7½ years).

3.This being the factum of the case, this Court is of the opinion that it is suffice, if a direction is issued to conclude the disciplinary proceedings in all respects and pass final orders. Accordingly, the 2nd respondent is directed to consider the explanation/objections and all the materials available on record and take a decision and pass final orders within a period of twelve weeks from the date of receipt of a copy of this order.

4.Accordingly, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary to Government,
The State of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Director of Town Panchayat,
Kuralagam, Chennai - 600 108.

+1cc to M/s.G.Sankaran, Advocate Sr.No.24841

sm:9.4.2018

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