

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.35019 of 2012

L.John Louis

...Petitioner

VS

1. The Secretary to Government,
Higher Education Department,
Secretariat, Fort St. George,
Chennai 600 009.

2. The Commissioner of Technical
Education,
Chennai 600 025.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first Respondent to complete the Enquiry Proceedings initiated in Memo No.50144/B1/2009 dated 19.05.2010 within a reasonable period as may be fixed by this Court.
(Prayer amended as per order dated 22.01.2013 in MP.No.1 of 2013 in W.P.No.35019 of 2012)

For Petitioner : Mr.T.Ranganathan

For Respondents: Mr.A.Raja perumal,
Additional Government Pleader.

O R D E R

The writ petitioner is a Senior Lecturer(Civil Engineering) in Government Polytechnic College, Nagercoil. He claimed to have been appointed on 15.02.1998 as lecturer and promoted as Senior Lecturer in the year 1999. In the year 2010 a Charge Memo dated 19.05.2010 was issued to him. He filed his detailed defence statement on 10.06.2010. Thereafter, it was thought fit that an enquiry must be conducted. An Enquiry Officer was also appointed. The enquiry concluded on 16.08.2010.

2. The present writ petition had been filed in the year 2012, seeking a mandamus to furnish a copy of the report of the Enquiry Officer. It had been stated in the affidavit that the enquiry concluded on August 2010. The writ petition has been pending from the year 2012. In the meanwhile, a copy was furnished on 05.04.2018 to the petitioner. He had given his further explanation on 28.06.2018.

3. The grievance of the learned Counsel for the petitioner is that final orders have not been passed after perusing his explanation. Without going into the merits of the case a limited direction is given to the 1st respondent, namely the Secretary to Government, Higher Education Department, Chennai, to pass final orders on or before 31.12.2018, pursuant to the enquiry conducted against the petitioner and on the basis of the enquiry report and the explanation dated 28.06.2018, furnished by the petitioner herein.

4. With these observations, the writ petition is disposed of. No costs.

vkr/msvm

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Higher Education Department,
Secretariat, Fort St. George,
Chennai 600 009.

2. The Commissioner of Technical Education,
Chennai 600 025.

+lcc to Mr.T.Ranganathan, Advocate, S.R.No.79986
+lcc to the Government Pleader, S.R.No.80496

SSI(CO)
KAK(19/12/2018)

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