

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-10-2018

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 21509 of 2016

W.M.P.Nos.18381 and 18382 of 2016

S.Henry Christy Raj

... Petitioner

Vs

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

2. The Commissioner,  
Tiruverkadu Municipality,  
Chennai 600 077.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorari, calling for the records relating to Letter (D) No.311/MA-1/2015 dated 14.05.2015 issued by the 1<sup>st</sup> respondent and consequent impugned letter issued by the 2<sup>nd</sup> Respondent in Na.Ka.No.623/2014-F-1 dated 10.07.2015 and impugned charge memo issued by the 2<sup>nd</sup> Respondent under Rule 8 (2) of Tamil Nadu Municipal Services (Discipline and Appeal) Rules 1970 in his proceedings ROC No.623/2013-3 dated 10.07.2015 and quash the same.

For Petitioner : Mr.N.Kolandaivelu

For Respondent : Mr.A.Ansar,  
Government Advocate

For R1

Mr.R.Mohandoss  
For R2

O R D E R

The Charge memo dated 10.07.2015 is under challenge in this writ petition. Though the present writ petition has been filed challenging the very charge memo, the learned counsel appearing on behalf of the writ petitioner brought to the notice of this Court that, the enquiry proceedings had already completed during the pendency of the writ petition and the enquiry officer submitted his report to the disciplinary authority. Based on the enquiry report, further explanations were called for from the writ petitioner and the writ petitioner has also had submitted his explanations / objections to the enquiry report on 09.03.2018.

2. In this view of the fact that, the enquiry proceedings had already been concluded and the writ petitioner also has submitted his explanation to the enquiry report, the disciplinary authority is directed to pass final orders based on the materials available on record without causing any undue delay.

3. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

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To

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

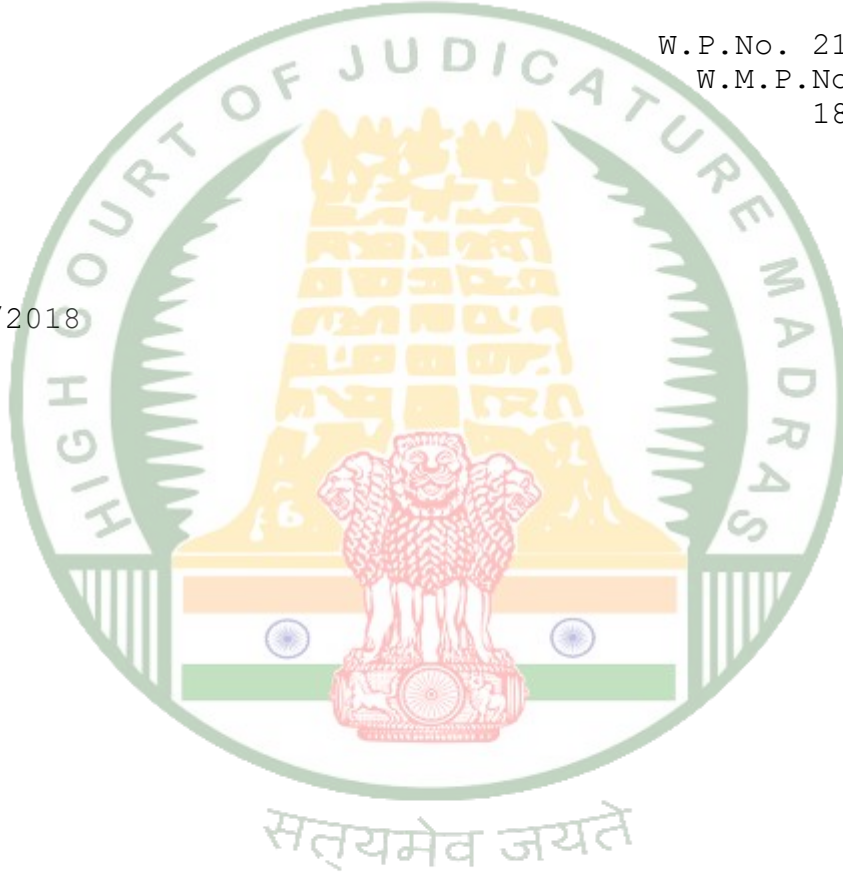
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2. The Commissioner,  
Tiruverkadu Municipality,  
Chennai 600 077.

+1cc to Mr.R.Mohandoss, Advocate Sr.69303  
+1cc to M/S.N.Kolandaivelu, Advocate Sr.69893  
+1cc to the Government Pleader Sr.69650

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