

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE :21.12.2018

CORAM :
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No. 3245 of 2013

N.Rajkumar

... Petitioner

Vs

1. The Director of Social Welfare,
Chepauk, Chennai - 600 005.
 2. The Administrative Officer,
Government Rehabilitation Home,
Vinnapalli, Erode District.
- Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to pass orders on the representation dated 27.02.2012 regarding passing of final orders in the disciplinary proceedings on merits and within a time to be stipulated.

For Petitioner : M/s.L.Chandrakumar

For Respondents 1&2 : Mr.B.Anand,
Government Advocate

O R D E R

The writ petitioner was appointed on compassionate ground on 24.11.1986. On 11.06.1997, the writ petitioner was given charge memo stating that there has been suppression on the part of the writ petitioner while getting the appointment on compassionate basis. The said charges were dropped. Second charge memo was issued on 11.11.2010 and the writ petitioner gave an explanation to the same on 11.03.2011.

2. The learned counsel appearing on behalf of the writ petitioner states that more than 6 1/2 years have passed and no orders have been passed on the proceeding initiated against the writ petitioner. The learned counsel for the Government would submit that there was a fire accident on 16.01.2012 in the office and in the fire accident all the papers have been destroyed and therefore, the proceeding could not be taken further.

3. The writ petitioner cannot be held responsible for fire accident. He is undergoing the agony of an enquiry for last 7 years. It is for the Government to pass appropriate orders in these matters. The writ petition is allowed and the respondents are directed to decide the issue within a period of 12 weeks from the date of receipt of a copy of this order. Accordingly the writ petition stands allowed. No Costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

gsp/pkn

To

1. The Director of Social Welfare,
Chepauk, Chennai - 600 005.

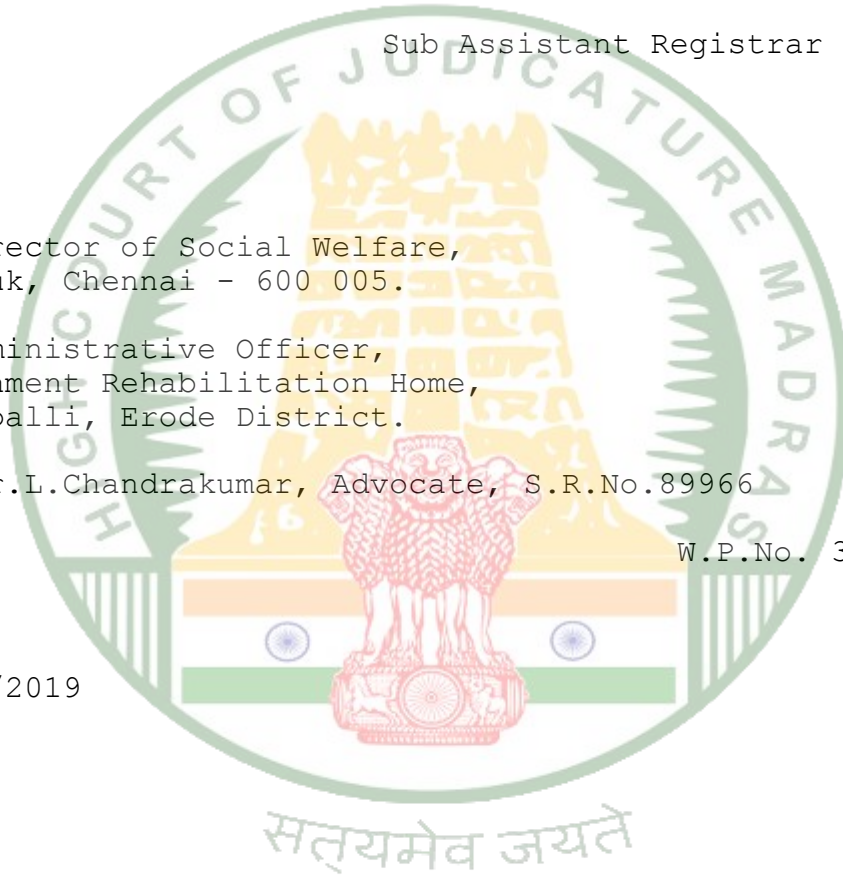
2. The Administrative Officer,
Government Rehabilitation Home,
Vinnapalli, Erode District.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.89966

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SSD(CO)

rrs 28/01/2019



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